COBBETT'S WEEKLY POLITICAL REGISTER.

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TO CORRESPONDENTS.

I must once more express my great obligations and my most sincere thanks to those who have been so kind as to send me parcels of the Cobbett corn for seed. I have this morning opened a box sent me by a kind friend in Guernsey, who was induced to cultivate this corn, and who had the first seed from me; which box contains about a bushel and a half of ears of the finest corn that I ever set my eyes on. My notification of my want of seed brought me a sufficient quantity almost immediately; indeed, before I could get time by another notification to put a stop to the supply; and my gratification at finding it to have been cultivated in so many parts of England, and with so much success, has been greater than I can express.

I had limited my intention to about ten or twelve acres for corn for this year, except I should find time for transplanting; but, finding several of my fields too foul to be got ready for barley, or for that rubbishing stuff called oats, and knowing that I could risk the planting of corn until about the 10. of June, I determined upon planting about forty acres, and this demanded a great deal more seed than I had. On some of this land I do not expect even a fair crop; but the land will have been cleaned, and it will be next to impossible not to have a crop worth more than a crop of oats. At any rate, as Jefferson said, when the Americans declared war against England, single handed, "Our system is now in the full tide of experiment." If the crop should be generally pretty good, my only difficulty will be to find horses and cattle to eat the tops and blades in the months of September and October.

N.B. I hereby strictly forbid any body beyond the confines of the parish from going to look at my corn until the 15. day of July.

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"As the END approacheth, one of the "symptoms of the approach will be, an incessant jangling in the Ministry, and a "chopping and changing of Ministers, the "characters and talents of whom will fall "lower and lower at last, no man will "consent to be a Minister, unless he stand in "need of the necessaries of life. &c. &c. &c. 14. Nov. 1829."

APPROACH OF THE END.

Bolt-court, 28. May, 1834.

The motto which I have taken for this *Register*, was a good deal laughed at at the time, and I remember that my then secretary, Mr. Riley, could not refrain from bursting out into laughter as he put it upon the paper. "What do you laugh at," said I; "Oh, sir!" said he, "do you think it will really come to that?" "It appears monstrous, "to be sure," said I; "but upon my "soul, Riley, I believe it."

It did seem something monstrous; but, we saw something very like it in France. The beggars there carried it to that point, that, at last, the fellows who were Ministers were reptiles so contemptible, that no man would have confided to them any portion whatsoever of his private pecuniary affairs. However, I will say more of this, by-and-by, when I have given you an account of the transaction in the House of Commons on Tuesday night, which transaction was only the commencement of a series of choppings and changings which will now never cease, until the present monstrous system of usury, taxation, barracks, and bayonets, shall come to an end, in some way or

another; for, in spite of every thing that can be done, a military despotism will not be established in England.

The transaction of Tuesday night was thus. Mr. WARD, member for St. ALBANS, made a motion in the following words:

"That the Protestant episcopal establishment in Ireland exceeds the "spiritual wants of the Protestant "population; and that, it being the "right of the state to regulate the "distribution of church property in "such manner as Parliament may de-"termine, it is the opinion of this "House that the temporal possessions "of the church of Ireland, as now es-"tablished by law, ought to be re-"duced."

This motion was preceded by a speech of great length, of great ability, and the materials of which were the result of great research and great care. It is understood; indeed, it is said boldly in the newspapers, and in private conversations, that the Ministry were divided upon the subject; and that Sir JAMES GRAHAM, Mr. STANLEY, and the Duke of RICHMOND, were for opposing the motion, while the rest were willing to agree to it. Sir JAMES GRAHAM and Mr. STANLEY were not present in the House that evening, which tends to confirm the truth of this story. Mr. WARD's motion was seconded by Mr. GROTE; and when the seconding had taken place, Lord ALTHORP rose and said: "Since my honourable friend "commenced his speech, a circum-"stance has occurred which induces "me to move, *that this debate be ad-"journed until Monday next*; and I "trust the House will have THAT "CONFIDENCE IN ME, which will "induce it to believe, that I should not "have proposed such an adjournment "without sufficient cause." His lordship was evidently greatly agitated as he uttered these words; and it was at the uttering of the words "*confidence in me*," that the great cheering took place: the cheering was decidedly in compliment to him, and not in the way of exultation at an announcement which told every one that the breaking up of the Ministry was at hand. After this, he amended his motion by an adjournment of the House until Monday next.

So much for the outward and visible transaction; and now for the nature of the motion made by Mr. WARD; and, when we have seen the nature and tendency of that motion, we shall be able to judge of the grounds upon which the seceders from this Ministry have proceeded.

Mr. WARD's motion proposed *the taking away from the church altogether*, a part of the tithes. It proposed this upon the ground that the Parliament had a right to dispose of the tithes in any manner that it pleased. The reader will please to observe, that there is a great difference between *taking away the tithes from the church*, and making any new distribution of them for the purposes of the church. I agree, to the full extent, in the principle, that the Parliament has the right to take any part or all of what is called the church property, and to apply it to such other public purposes as it may think meet; but it is not dealing fairly by Sir JAMES GRAHAM, Mr. STANLEY, and the Duke of RICHMOND, to keep out of sight the effects of Mr. WARD's motion, if adopted, and the ulterior measures with regard to the whole of the church property, in England as well as in Ireland, which must speedily have been produced by such a precedent.

Never was there any thing more fair, more candid, more undisguised, than the able speech by which this motion was introduced; and, therefore, I am to conclude, and I do conclude, that Mr. WARD did not perceive the extent of the effect of his motion. He dwelt upon the sacredness of private property, in which light he regarded the revenues of the present incumbents for their lives, and against the touching of which he protested during their lives. But the incumbencies; that is to say, the life interest of the present possessors of livings formed but a part, and a small part, too, of the property in the greater part of those livings. Mr. WARD seemed to forget that there was the PATRON as

well as the incumbent; that is to say, *the owner of the advowson*, who is a perpetual proprietor; whose property is a freehold, according to the law as it now stands, and whose property would have become no property at all upon the assumption of the revenues by the Government. Suppose me (God forbid that it should be so!) to be the owner of an advowson in Ireland, which *I could sell* for ten thousand pounds; suppose a bill to pass on the principle of the motion of Mr. WARD; instantly my advowson would fall greatly in value, or become worth nothing at all. I contend that the Parliament would have a right to do this; but, is there any *Ministry* prepared to say, that it has a right to do this?

Then, with regard to the *lay-tithes*, Mr. WARD said nothing. *He did not meddle with that matter*; but, if it had come to a vote, I should have voted for his motion; but not without saying, that I understood what must be its inevitable effects. *Lay-tithes* rest upon no law whatever, but that very law, upon which the property in the advowson rests; and, therefore, the right of abolishing the advowson clearly implies the right of abolishing the lay-tithes at the same time. The property in the advowson is traceable back to a grant founded on an act of Parliament: the property in the lay-tithes is not only traceable back to an act of Parliament, but to the very same and only act of Parliament to be looked to to sanction lay-tithes, which are something a great deal more unnatural; a great deal more violently opposed to every principle of a Christian church, than any other thing which is now to be discovered in any part of the church-government or property. The people of England submitted quietly enough to the transfer of the advowsons into the hands of laymen; but when laymen came to collect the tithes and other dues intended by the Christian church for the maintenance of the teachers of religion, then they resisted, looking upon such collection as sacrilege and robbery, both in one; and all lawyers well know that a most severe act of Parliament stands now on the statute book, passed in consequence of that resistance, to obtain obedience to which act required the shedding of a tolerable quantity of English blood. So that it is impossible for any rational man to believe that the lay-tithes could remain "*sacred*," if once the advowsons were assumed by the Parliament.

I would assume them all. Three hundred years ought not to protect these things against the lawful power of the Parliament. This species of property is still tainted with its origin: the possessor is the possessor of the taint as well as of the thing. I would abolish all tithes, lay as well as clerical, at once. I say, that we have a perfect right to go back and revise the transactions of the event called the REFORMATION; I say, that, find the property where we may, we have a right to take it back again for the people. But, as between the Ministers, it is, to Sir JAMES GRAHAM, Mr. STANLEY, and the Duke of RICHMOND, *not what I would do*; but what Lords ALTHORP, GREY, MELBOURNE, Lord JOHN RUSSELL, and Lord PALMERSTON, would do; and, I put this question to them: *Are you for this general resumption*? If you be not, Sir JAMES GRAHAM, Mr. STANLEY, and the Duke of RICHMOND, are right, and you are wrong. An act founded on Mr. WARD's proposition would be a taking away of advowsons, which are property in perpetuity; it would be taking away church property, and applying it to lay purposes; it would, indeed, be doing no more than what was done generally at the time of what is called the "*Reformation*." There are precedents for it in more than twenty acts of Parliament passed in the reigns of the TUDORS and the STUARTS: if you be ready to proceed on those precedents, come on, my Lords; I am ready to give you my support; but, if you be not ready to do this, the seceders from the Ministry have the best end of the staff.

So much for the transaction of Tuesday night; and I have said here upon the subject, what I intended to say, if the question had been brought to the vote; for, I never did, and I never will, if I understand what I am about, give

my vote for any thing which shall have a tendency to produce that which it does not profess to have a tendency to produce, without stating, as well as I am able, my view and my estimate of the thing for which I am voting.

However, the truth is, that the church, and every thing appertaining to it, is brought into that state of jeopardy, which I so clearly foresaw, and so clearly foretold, so many years ago, and once or twice every year for the last twenty years. I myself, who have the strongest partiality for a state of unity of faith and opinions with regard to religion; who hate, from the bottom of my soul, all the bickerings and jabberings about the meaning of the Scriptures; who think that every new sect is a new evil, and who have never seen any possible good to arise out of a multiplicity of religions: even I, who was born and bred in this church, would now legally put an end to all its temporalities, though I have never felt them burdensome to me, have never grudged any thing that they took from me; but who am convinced that England can never know peace, any more than Ireland can, until these temporalities be taken away. I have no opinion at all that Dissenters are worse men or better men than church-people: I inquire not into their rights or their wrongs; I never make distinctions as far as my power goes, between them: I am sorry that the church is not such as to have us all within its pale; but, knowing that it is not, and seeing no possibility of its ever becoming such, I am for removing it altogether, seeing that it is the general disturber of the peace and happiness of the country.

With regard to the Ministry, Lord ALTHORP truly said, that theirs was not "*a bed of roses.*" They must, however, either *do nothing* in the way of reforming the church, or managing its property; or they must DO ALL. To do nothing is to proclaim open hostility to ninety-nine-hundredths of the nation; to do all is to take from the nobility and gentry, *six or seven millions a year.* People talk of the church property as if it belonged to the parsons, deans, prebends, bishops, &c. It belongs to the nobility and gentry. About seven thousand out of twelve thousand of the advowsons are their own private property, and as to the dignities and the crown livings, every one knows that they are, in fact, in their gift. So that men should know what they are talking about, when they are expressing their anger against the Ministers for not reforming the church. Yet reformed it must be. Defective as this reformed Parliament is; tame as this House of Commons has been; and devoted and obedient as it has been to the Ministers; still, no Ministry can stand for any length of time without reforming this church.

Besides this, there are so many difficulties for any Ministry to encounter; there are so many evils pressing upon the country in all directions; this load of debt, which is pressing to the earth every body but the merciless band of usurers; the distress in which all classes but the receivers of taxes find themselves plunged: the unsettled state of men's minds as to the remedies to be applied; the innumerable projects that are afloat for changing the laws and institutions of the country; all these, and especially the impossibility of any Ministry satisfying the people on the score of taxation, and carrying on the present system of expense at the same time; all these render the life of a Minister, if he have any feeling and be worthy of trust, worse than the life of a galley slave.

In such a state of things, no Ministry can be strong, and no Ministry can be durable. The whole thing must go on, living by chance, rather than by principle. There is no lure to ambition, unless it be a very dirty ambition, indeed; and, which is a great deal worse, there is no *hope* to be a lure to disinterestedness, to public spirit, to zeal, and to devotion to country. I have said a hundred times, that I should deem myself the greatest villain that ever lived, and the greatest fool, into the bargain, if I were to undertake to carry on the present system of Government in England; to undertake to carry on a Government in *copartner-*

ship with a body like that of the Bank of England; to undertake to make this nation submit to give half its profits, half its rents, half the fruits of its labour, to a band of usurers, a band called the dead-weight, and to a hundred thousand bayonets to support me in getting the money to satisfy them. The Ministry are not to blame for the burdens which they impose and exact: they are not to blame for the severities which they inflict in order to make this exaction successful. I blame them for nothing but *undertaking to carry on the system*: and those who think that the usurers ought to continue to have thirty millions a year, and the dead-weight six millions, and the civil list and all the other tribes of pensioners, that which they now receive; those who think this are amongst the foolishest or the basest of mankind, for complaining of the Ministers on account of the burdens which they exact.

It is curious to observe how the effects of the debt keep rolling on; for it is the debt; it is the band of usurers and the band of dead-weight, that are now tearing the church to pieces. If the people were well off: if landlords got their rents as in former times; if the farmers had the means left with them to give employment to the labourers; if the manufacturers and merchants had profits to enable them to pay good wages to their working people; if these were, never should we have heard a word about the burden of tithes, which have existed for a thousand years, and never discovered till now, to be a burden at all, any more than rent; but, the money-monster, perceiving his food likely to fall short, casts about him to find something beyond the "*consolidated fund.*" "Oh!" says the monster, "here is this church: what is it good "for? it devours a parcel of the food "that I ought to have: what's the use "of all these bishops and deans and "chapters and God knows what, and "archdeacons and rural deans, and "stuff that I never heard of before?" It is not the Dissenters that are formidable: it is the money-monster. Casting his glaring and greedy eyes in another direction, "Oh!" says the monster, "here are these POOR: they "ought to be made to emigrate, and "God ought to make the land produce "without them; or they ought to be "made to '*live upon coarser food*'"; and to work the monster goes against the poor.

This is the true cause of the REVOLUTION which is now going on; for, *revolution* it is, call it by what name you will. As I have always said, it is impossible for any man to say at what precise time, or in what precise manner, this system will come to an end; but come to an end it must; and it will not, as the dead-weight fondly anticipate, be succeeded by a military despotism! This is their audacious prophecy: as they sit and pick the venison from between their teeth, while they are looking through panes of glass that cost five pounds a piece, they indulge the hope that, even if taxation fail them, their luxury will still be supported by a "*military despotism.*" This is their hope, and this their prediction: events will blast the hope, and render the prediction a lie.

The owners of the property of the church should recollect that it was they who made the debt; should recollect that it was they themselves who created the money-monster to come to their aid, in the preventing of a *timely* reform; should recollect that the common people had no hand in it; should recollect the dungeons which they opened; the punishments which they inflicted without end, on those who pressed them to make that *timely reform*: their own statute book is their faithful historian; dungeon-bills, gagging-bills, new treason-bills: "suffer death"; *death*, DEATH, DEATH, at the close of every clause! There is the record of their treatment of the people, there is the record of the cause of all their present embarrassments. And, never let it be forgotten, that these acts were invariably demanded and applauded by the great body of the clergy of England. The time is past, to be sure, but it is impossible for the people of this country to forget these things. Aye,

and at this very moment, the recollection of these things is producing its full share of all those causes of embarrassment which every Ministry must now experience.

With regard to a new Ministry, or a new-modelling of the Ministry, what is to be effected by either? We are at sea, and in a stiff gale of wind; it is the gale that wants to be abated, and not the helmsman or the sailors to be changed; it is still the same ship, and there are the same helm, sheets, sails, and masts. Sir JAMES GRAHAM and Mr. STANLEY are men of great ability; and, for any thing that we have seen to the contrary, of great integrity. They have not resigned because they dislike their colleagues; they have not resigned because they dislike their offices; they have resigned because they see no way out of the difficulties that surround them. As to a Tory administration, that might bring things to a crisis at once; unless, as in the case of Catholic emancipation, they were to resolve to take us by surprise, and give us even more than we ask. But how are they to pay the interest of the debt? How are they to support the dead-weight and the army? How are they to do with the miserable affair better than the present men can do?

No: the thing must go staggering and reeling along, till, as in the case of the old French Government, it can stagger along no longer. It is curious to observe how closely our Government is imitating that old French Government, which *pulled itself down*, observe, at last; it tried coercion, to the utmost extent, and in all sorts of shapes; seeing itself likely to come to a violent end, it then set to the work of *reforming*. One set of imbeciles and of conceited knaves succeeded another; one projector after another came, each of them "*all jaw and no judgment*"; and with a brain swimming in a mixture of *laudanum* and *brandy*; half-drunk and half-mad they all seemed to be; and new projects came from them, spewed up with as much facility as a mountebank draws the ribands out of his throat; and the natural end came. It is surprising that this experience should be lost upon us, as it appears completely to be. The sound policy would be, to make the changes one at a time, and to make them effectual; whereas we undertake every thing at once, and *finish nothing*, imitating therein the very worst and most injurious habit of common life; and I appeal to all my readers, without exception, whether, in any rank of life, be it what it may; in any pursuit, no matter what, they ever saw a man successful in his undertakings, whose habit it was to begin many things at once, and to finish nothing. Yet this really seems to be the principle upon which we proceed.

If Lord ALTHORP should quit the Ministry, things will be worse than they are now. He is a man of great experience in the conducting of affairs in Parliament; and though he makes no eloquent speeches, he never omits to answer every point brought to bear against him if it admit of an answer; and then the thorough conviction which every one has that his motives are good, and that his word may be relied on, gives him a weight that no other man can possibly expect to have, as things stand at present. The only wonder is, or it is such to me, at least, that he can bring himself to endure the toil which he endures, when I cannot perceive how it is, that he can hope that his toils will enable him to succeed in carrying on this system for any length of time.

I conclude this article with observing that it is not change of Ministers, that it is not change of ordinary measures, that are now wanted; that it is a relief of the general distress of the people; and that this distress cannot be relieved, except by a great reduction of the interest of the debt; by a lopping off of the monstrous pensions and sinecures; and by a great, and a very great, reduction of the enormous sums annually paid to what is called the dead-weight; and a still greater proportionate reduction of the standing army in time of peace; and it is my firm conviction, that, unless these measures be adopted *in time*, the whole fabric of this government will go to pieces. I say this after the soberest

reflection that I am able to bestow upon any thing; and I say it in this solemn manner, in the hope that my saying it may have some small effect in preventing a catastrophe possibly fatal to the peace and happiness of my country.

TO

LORD DURHAM.

Bolt-court, 28. May, 1834.

My Lord,—I have read in the newspapers the report of a speech, which they represent to have been made by you at a late meeting of the Dissenters at the London Tavern, a place which you should not have made a speech at, unless it had been free from the stupid malignity discoverable in this speech. I will first insert the only part of the speech which I think worthy of notice; and then I will give you, as far as I can, such an answer as you ought to receive.

"He might have here closed the few "observations he intended to offer to "them, and should have done so, as he "felt considerably exhausted by the "length of time that the meeting had "lasted, and the attention he had en-"deavoured to pay to the interesting "and beautiful sentiments which had "been addressed to them by many who "attended; but a question in the second "resolution of such vital importance "had been mooted—a question on "which he had heard the opinions of "all those who belonged to them as a "body of Dissenters, and upon which "they ought to know the opinions of all "who were engaged in public life, that "he must entreat their attention for a "few moments. The question he al-"luded to, was the one of the separation "of the church from the state. And "his hon. Friend near him (Mr. Wilks) "would admit he had said to him frank-"ly and fairly, that he could not con-"sent to any proposition which involved "a question as to the propriety of the "church being separated from the state; "these sentiments he had already ex-"pressed in Parliament, and they were "such as he should always consider it "his duty to express in any society or "place in which he might hear the se-"paration of the church from the state "recommended. His conscientious opi-"nion, then, was, that the church was "bound to tender religious instruction "to all the members of the state. In the "present ignorant and uneducated con-"dition of the great mass of the popu-"lation of this country, he considered "that it would be most improper to "leave them without any religious in-"struction at all. (Hear, hear). He "thought it would be most unwise to "leave such persons to the canvassing "of religious sects, some of whom might "endeavour to gain favour and support "by increasing their prejudices and flat-"tering their ignorance. If, indeed, all "were as enlightened as were the Asso-"ciation which he was now addressing, "if all were as capable as were those "present of forming a correct judg-"ment, they might be safely left to the "formation of their own religious opi-"nions without assistance at all; but "such was unfortunately not the case; "and he should, therefore, consider it "as improper in him, as a statesman, "not to tender religious instruction to "the people in their present condition, "as it would be culpable in the parent "not to provide it for his children in "their state of infantile or imperfect "judgment. The religious, as well as "the moral or secular instruction of the "people, was one of the most impera-"tive duties of the state; and, in the "present condition of large masses of "the community, should not be left to "chance, or, to speak in other words, "to the voluntary principle. He was "aware, from what had passed that "day, that they were not agreed in this "principle; but it was his conscientious "opinion, and such were his reasons for "differing with those who advocated a "separation of church and state, or ra-"ther, according to his view, religion "and state: his object being to advance "the cause of religion, as the best security "for the welfare, happiness and prosperity "of every community. But he hoped "they would allow him to put it before "them in another point of view. Even

" if he could agree with them in prin-
" ciple as to the propriety of the separa-
" tion of the church from the state, still
" he must press on them, in strong lan-
" guage, the expediency of not now
" urging that question on the attention
" of the legislature. They ought clearly
" to understand that both branches of
" the legislature were hostile to it. In
" the House of Commons, from the best
" information he had been able to col-
" lect, out of upwards of 600 members,
" not thirty would vote for it; and in
" the House of Lords not a single peer
" would be found to support it. The
" country, he was bound to tell them,
" was not now prepared for it. It had
" been admitted by some of its most ar-
" dent supporters, who had made the
" most sanguine calculations, that they
" could not expect a majority of opinions
" in favour of the separation. There
" was not one single individual (and he
" wished it to be understood that he
" spoke this advisedly) in public life
" whose support they could calculate
" on, whose aid and assistance was
" worth having: whilst, on the other
" hand, the bare agitation of the ques-
" tion raised fears and prejudices, and
" bitter hostility—operating not merely
" on the speculative question itself, but
" affecting the redress of those acknow-
" ledged grievances of which nothing
" but their own wilful imprudence could
" prevent the settlement. *They would*
" *disqualify their friends from acting in*
" *their behalf, and increase the power of*
" *their enemies ten-fold.* In looking to
" these effects he alluded to *the delight*
" *with which this point had been taken*
" *up by that intolerant faction which*
" *had ever distinguished themselves by*
" *opposition to the Dissenters' claims,*
" and by the avidity with which those
" *who only hoped to raise themselves to*
" *eminence by confusion and civil dis-*
" *cord have seized on the declaration, to*
" *which they would irrevocably bind the*
" *Dissenters.* He earnestly prayed that
" the *unhallowed designs of both parties*
" *would be defeated.* Let them not
" adopt so impolitic a course, and they
" could not fail in the attainment of
" those practical objects in which they
" would demand, and indeed must ob-
" tain, the assistance of every true lover
" of his country. In humbly tendering
" to them this advice, he hoped they
" would not misunderstand him."

Now, my lord, I shall make only a short observation or two upon your notions about separation of church and state, with regard to which, you, as well as the Dissenters, appear to have a very different notion than that which has always been entertained by those who have distinguished themselves by protesting against such union. You seem to think that it means, that is to say, that the *union of church and state means* a maintenance of the church *by law*; a maintenance of it by tithes and dues, the collection of which is enforced by law; and not a maintenance by *voluntary contribution.*

But, my lord, this is not the union of church and state, so long protested against by learned men. Tithes and church dues have existed a thousand years in England; and no man ever heard a complaint about "church and state," until the event falsely called the "*Reformation.*" Tithes and church dues were enforced by law for a thousand years: and, during all that time, the phrase "*church and state*" never was heard of. It was in the reign of Harry the Eighth, when he, a layman, and a temporal prince, took to himself the *supremacy* of the church; made himself the *head* of the visible church of Christ in England; and it was because they would not subscribe to this supremacy, that More and Fisher died upon the scaffold. They contended, as others have contended since them, that it was monstrous to make a lay-person the *head* of a Christian church: the head of bishops and priests; and, especially, to make an *hereditary* head; so that a *woman*, a *child in arms*, a *born idiot*; an *idiot*, become such, with the tongue lolling out of his mouth, a person *dead in law*, might become the *head of the church of* Christ! And this is the union of church and state, which has been complained of, as offensive to every principle of religion, as well as of reason; that a born idiot should have the

appointment of bishops: this is what has been complained of.

I will say nothing in this place about the *congé d'elire*, and the proceedings of the dean and chapter in such case, which has been the subject of such loud censure on the part of learned and pious men, and which has been cited as an instance of the monstrousness of this union of church and state, and has stamped it as something so worthy of universal reprobation.

Your notion is, that the union of church and state merely means the upholding of the episcopal church by law, instead of leaving it to voluntary contribution; and this is the meaning which the Dissenters appear to attach to the words. The severing of this union would, of course, put an end to all tithes and church dues and church-rates, and leave the episcopal church to be maintained by its flocks at their pleasure. And, according to this meaning, the Dissenters very consistently demand that they shall be exempted from the payment of tithes. You differ from them in opinion, and tell them, that this maintenance of the church is necessary, because there ought to be provided for the people by law, the means of religious education; that religious instruction ought to be tendered to them by the state; that such religious instruction they could not have without the maintenance of the church in this manner by the state; and that, therefore, voluntary contribution is not sufficient, and the establishment is necessary.

You must have been aware, one would think, that though you yourself might believe these premises to be true, *the Dissenters hold them to be false.* They contend, on the contrary, that ignorance and irreligion are to be found only amongst those who are left to the church; they contend that the church does not teach people to be religious; they not only deny her utility in this respect, but they assert (and, as things now stand, they assert truly), that the church is an impediment to religious teaching and to the spread of religion; and, of course, that the money taken from them to support this church is a great and crying oppression. So that they must have had a reasonable degree of contempt for your lordship, when they saw you have the folly to stand before them and vindicate the union of church and state on such grounds.

But, it is the close of your speech which attracted my attention. You tell the Dissenters that, by going so far as to contend for a separation of church and state, they will *dishearten their friends*, and encourage their enemies; that they will please the Tories, and gratify "*those* who only hope to *raise* "*themselves to eminence by confusion* "*and civil discord*, and who have seized "with avidity on this declaration of the "Dissenters about separation of church "and state," to which these aspiring persons wish to *bind* the Dissenters.

Now, no one that I know of, except myself; no other man amongst those who are usually denominated Radicals, or Jacobins, or something of that sort, has publicly said any thing at all about this matter. I have, in Parliament as well as out; and I do wish to *bind the Dissenters to their declaration*; or I wish them to get nothing at all. But, as to "RAISING MYSELF TO EMI-"NENCE," how am I to do that? Seeing you *a lord*, can the devil himself be so ill-natured as to wish me to aspire to a title? Is it money or coal-mines that I want to get heaps of? Why PEEL has got money by millions, and you have got coal-mines half way down to the bottomless pit. What, then, can I want? Can the King give me anything worth my having? And am I so base a dog as to think that he has the power to bestow honour equal to that which I have received from the people of OLDHAM?

What ground had you then, for this white-livered, Whig-charge; this mere parrot-like repetition of the old-standing charge of CANNING, CASTLEREAGH, LIVERPOOL, and all that train of reptiles, who, the moment they saw a man stand forward in defence of the rights of the people and the laws of the land, accused him of wanting "*confusion*," in order

that he might raise himself to eminence. Why, you dull and spiteful and insolent man, I am eminent: I cannot be more eminent than I am. What sense is there, then, in your charge against me, or against any person who has taken the course that you have described? This was a poor, miserable fetch, to delude the Dissenters, to keep them quiet, that GREY and Co. might still enjoy the emoluments of their offices. What course the Dissenters will take, I do not know; but this I know, that, unless they obtain a separation of the church from the state, in their sense of the words, they will obtain nothing worth having. They may follow my advice or not, just as they please; but of this I am certain, all your flattery of them, and all your dull abuse of the *confusion-men*, notwithstanding.

WM. COBBETT.

WANT of time prevents me from directing the attention of my readers again to *American affairs*, which are of the greatest possible interest to this country as well as to that.

TITHES AND CHURCH PROPERTY.

RESOLUTIONS and petition unanimously adopted at a public meeting of the inhabitants of Boston, held in the Town Hall, on Thursday, 17. May, 1834, to petition Parliament for the relief of Dissenters and others, from Tithes, Church-rates, &c.

At a public meeting held at Boston, on Thursday, the 17. of May, 1834, to petition against the ministerial measures before the House of Commons, respecting Tithes, Church-rates, &c., Mr. THOMAS RECKITT in the Chair; the following resolutions were unanimosly adopted:

Moved by the Rev. Thomas Ridge, Methodist minister of the new connexion, and seconded by Mr. William Wedd Tuxford; That this meeting recognises the great and leading principle of full and complete separation of church and state, as the true basis on which equal rights and justice can be secured to all classes of the community, and by which the interests of true religion will be best promoted.

Moved by the Rev. Griffith Roberts, Unitarian minister, and seconded by Mr. Thomas Bailey; That this meeting cannot but express their deep regret, that the hopes of effectual and satisfactory relief from the grievances under which Protestant Dissenters, and the country at large, labour, have been disappointed by the bills relating to tithes, church-rates, and Dissenters' marriages; all of which measures are unsatisfactory and offensive to churchmen as well as Dissenters.

Moved by the Rev. Dr. Perrey, Baptist minister, and seconded by Mr. Lawrence; That this meeting, recognising the voluntary principle in support of religion, deprecates the coercive maintenance of any sect by tithes, church-rates, offerings or other imposts, as contrary to the spirit and genius of Christianity, and injurious to its true interests. That petitions to Parliament founded on these resolutions be adopted, and presented to the Lords by Lord Durham, and to the Commons by John Wilks, Esq., Member for Boston; and that Major Handley, the other Member for this borough, together with the county Members, be requested to support the prayer of the petition to the House of Commons.

Moved by Mr. John Noble, and seconded by Mr. John Caister; That to John Wilks, Esq., and Major Handley, the Members for Boston, for their resistance to the inefficient and unsatisfactory measures of the Government respecting Dissenters, the cordial thanks of this meeting are due, and are hereby presented; as also to Sir William Ingilby, Bart., and Henry Handley, Esq., for their resistance of the measure on church-rates.

Moved by the Rev. Dr. Perrey, and seconded by Mr. James Golsworthy; That a committee, consisting of the

minister and three other members of each congregation in Boston who shall agree so to unite, be formed, to be designated, "The Boston United Committee for the protection and diffusion "of Religious Liberty," and that prompt measures be adopted by that committee to promote the sending of petitions from the various towns, villages, and congregations in the vicinity.

Moved by Mr. John Noble, and seconded by Mr. Lawrence; That the cordial thanks of the meeting be presented to the Mayor, for the use of the Town Hall.

Moved by Dr. Perrey, and carried by acclamation; That the warmest thanks of the meeting be presented to the chairman, for accepting the office, and the ability with which he has presided over the meeting.

To the honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled,

The petition of the undersigned inhabitants of the borough of Boston, in the county of Lincoln,

Showeth,

That your petitioners approach your honourable House with regret and disappointment, that your honourable House has not given to the country those benefits which were expected to result from the "Act for Amending the Re-"presentation of the People" in your "honourable House." They were sanguine enough to hope, that the first important measure of your honourable House in the present session of Parliament would have been, the restoration of the Christian religion to the Apostolic polity, by relieving the people from the compulsory payment of tithes, church-rates, and offerings, and leaving the provision for the clergy and fabric of the churches established by law, to the voluntary contributions of the respective congregations thereof; but in this their just expectation, your petitioners are disappointed, by the bills now before your honourable House for the perpetuity of the payment of tithes by a commutation, and of the rates out of the land-tax revenue for the support of the church establishment, which your petitioners, as also a great majority of the people of the United Kingdom disapprove, and deprecate the existence and continuance of both, as anti-christian, and a violation of every principle of true religion and justice.

That a national religious establishment, with the chief magistrate of the state as head of the church, invested by acts of Parliament with power, to decree rites, creeds, and ceremonies, is anti-christian, being contrary to the declaration of Jesus Christ, that his kingdom was "not of this world"; and to *compel* those who dissent therefrom, to contribute to the support of such establishment, is vexatious, oppressive, and unjust, and repugnant to the genius of true religion as taught by the Apostles and teachers in the primitive ages, the following facts from unquestionable authorities, will evidently prove to your honourable House.

That from the apostolic age to the fourth century, the church of Christ, according to Tertullian and other ancient fathers, was sustained and extended on its primitive footing, by the voluntary contributions of the true worshippers; for, no man was compelled, but left to his own discretion to give to the treasury of the churches once a month or when it pleased him, what he thought proper, which was applied, not in supporting archbishops, bishops, prebendaries, archdeacons, deans, precentors, chancellors, proctors, rectors, vicars, and curates, with titles of distinction, but, in relieving the poor, the orphan, the aged, and infirm.

That to and at the above-mentioned period, the churches were congregational and independent of each other as in the days of the Apostles, subject to no legislative dominion; the respective congregations chose from among themselves their own pastors, and supported them by voluntary subscriptions; but this system in some respects became changed on the conversion of Constantine to Christianity, who took the churches under his imperial protection, and made large grants "for necessary uses" to the presbyters over whom he presided; yet he granted to them no

tithes, nor did he issue any edict to allow them annual stipends out of the national treasury, or pass any law to compel his subjects to pay any, but left it entirely to the feelings and ability of the people, as theretofore.

That notwithstanding this change the Christian church continued for nearly a century, based on principles characteristic of its founder; but having been taken under the wing and patronage of the state, with emperors at its head, supported by bishops and presbyters in general councils, the simplicity of the gospel economy was abandoned, and an ambitious and secularized priesthood began the system of organization of different grades under the bishop of Rome, which progressively led to the establishment of the Roman Catholic hierarchy, and the foundation of the present church establishment of England and Ireland; but notwithstanding this abandonment, the bishops and priests, as stated by Seldon, lived together at the cathedral churches, and whatever free-will offerings were received by them, were decreed by Popes Sylvester, Simplicius, and Gregory, in the fourth, fifth, and sixth centuries, to be divided into four equal parts, viz: "one for the bishop, for his "support; a second for the presbyters, "or priests; a third for the repairs of "places of worship; and a fourth for "the poor, afflicted, and travellers."

Your petitioners are further informed, which they crave leave to state to your honourable House, that the same distribution of the church revenues theretofore granted by Constantine and his successors, and the free-will offerings of the people, were continued and sanctioned by the several kings and popes, until the creation of parishes, and the endowment of benefices, in or about the eighth century, when the quadrupartite division was departed from, and tithes arising from lands of lords of manors, and laymen of good estates, who had built churches in their respective parishes, were, according to Seldon, Spelman, Kennett, and others, ordered to be paid by the occupiers thereof, to the resident incumbents of benefices, who were directed by canonical authority to keep a written account of such tithes and offerings, and to divide them into three equal parts, one for the ornament of the church; the second for the use of the poor; and the third for the priests. And by statutes of the 15. Richard II., and 4 Henry IV., it was enacted, that the diocesan should ordain a competent sum of money to be paid, and distributed yearly, of the fruits and profits of the churches, by those who should have the said churches and by their successors, to the poor parishioners of the said churches, in aid of their living and sustenance for ever; and by another statute passed in the 21. of Henry VIII, it is recited that the statute was (*in: al:*) "For the more "quiet and virtuous increase and main-"tenance of divine service, the preach-"ing and teaching the word of God, "with godly and good examples, giving "the better discharge of curates, the "maintenance of hospitality, the relief "of the poor, the increase of devotion, "and good opinion of the lay fee "towards the spiritual persons"; and Sir Simon Degge, commenting on this latter statute, says, "The third end of "this good law was, to maintain hos-"pitality: and I would wish every "clergyman to remember, that the "poor have a share in the tithes with "him."

That this tripartite division appears to have been continued and appropriated to the time of, and sometime after, the Reformation, when the whole was retained, and applied by the parochial clergy to their own exclusive use; but the precise date when this usurpation took place, and the charge was thrown on parishes to repair the churches, and the poor were deprived of their common law right of the one- hird part thereof, your petitioners are unable to state, sufficient for them to remind your honourable House, that the original trust of distribution into three equal parts, was not abrogated, or annulled by any act of Parliament passed in the reign of Henry VIII., or by any act passed subsequent to his reign; though it has been asserted by some, as it respects the right of the

poor to the third part of the tithes, that such right was virtually, or by implication abrogated by the statute of the 43 of Elizabeth; but your petitioners submit to your honourable House, that that assertion is unsupported by proof, for nothing appears in that statute, that the legislature intended the clergy should retain this third part for their own exclusive use, and thereby burden the parishes with the entire maintenance and support of the poor; therefore, as the statute in question is perfectly silent as to the future application of such third part, your petitioners submit to your honourable House, that such third part remained to be applied as theretofore by the incumbents or impropriators of the benefices, as trustees for the poor, or intended to be paid by them to the parochial officers, in aid of the onus imposed upon parishes by that statute.

Your petitioners having with great humility submitted to your honourable House, a brief, but faithful history of the constitution of the Christian church, and the application of its funds annually raised by grants and free-will offerings of the people, from the days of the Apostles to the Reformation, by which mass of evidence they submit it is conclusive, that the church revenues were admitted and recognised, as public property, and treated as such, by the several Governments of England and Pontificates of Rome, as also by Henry VIII. and his Parliament, on the establishment of the Protestant hierarchy; but if in the wisdom of your honourable House, such evidence which your petitioners have stated should be deemed inconclusive, they crave permission to add in support thereof, that the statutes of the 27 and 31 of Henry VIII., are ample authorities to establish the fact, that Henry VIII. and his Parliament treated what is termed *church* property as *public* property; and unless the Government at the time of passing them, had not the right to apply it, (which your petitioners doubt not), either in the way they did, or in any other way they might have considered conducive to the public good, it would follow as a consequence, that the then grantees of such property *were*, and the clergy of the present day *are*, usurpers of the property intended for the support of the Catholic hierarchy; and agreeably to the rule of equity, as expounded by the present Vice Chancellor, in giving judgment in a late case, the Attorney General *v.* Shore, "that property left with a view to the "support of a specific class of opinion, "cannot be available to parties who "dissent from those opinions"; therefore, if the Vice Chancellor be right in this opinion, the clergy of the present church establishment have not even the shadow of title to the revenues of the church and collegiate property, but, that it belongs to the successors of the Roman Catholic church.

That in addition to, and in further corroboration, that the church revenues have ever since the Reformation, been considered as public property at the disposal of the state, your petitioners request leave to state to your honourable House, that after Henry VIII., Queen Mary transferred them to the Catholics; Elizabeth from the Catholics to the Protestants; Cromwell divided them between the Puritans and Churchmen, and Charles II. applied the whole to the latter. And in order to remedy the mischiefs which had arisen from the latter period to 1713, from the inadequate salaries paid by the incumbents of benefices to curates, and to provide, that their stipends should be in proportion to the population and value of the benefices, the legislature passed an act in the last-mentioned year, and also another in the 57. of George III., transferring a portion of the rectors' income to the curates; and in 1798 an act was passed to compel a sale of part of the church property for the redemption of the land-tax. The exercise of these powers by the above-mentioned acts, together with the bills now before your honourable House, are conclusive evidence to show, notwithstanding the dictum of the Vice Chancellor in the case above quoted, which your petitioners consider erroneous, that the present Parliament has a legal right to dispose of the fee simple and inheritance of the property of the existing church establishment, in any

way which in its wisdom may be deemed conducive to the public good.

Your petitioners, therefore, with great humility beg to state, that in their opinion, your honourable House in conjunction with the other two estates of the realm, cannot apply the same better than by transferring the whole of it by act of Parliament to the national creditor, at the rate of twenty-five years' purchase on the present annual value, (which will amount to more than *two hundred millions sterling*), in liquidation *pro tanto* of the public debt, and leave the support of the clergy of the Protestant church, and the repairs of the places of worship, to the voluntary contributions of the respective congregations thereof.

Your petitioners therefore most humbly crave, that your honourable House will take the subject matter of this petition into your serious consideration, and relieve your pe itioners and the people of the United Kingdom, by transferring the fee simple and inheritance of the church property to the national creditor, in liquidation *pro tanto* of the national debt, by such ways and means as in the wisdom of your honourable House shall be deemed expedient, so that, the voluntary system for the support of the episcopal church may be resorted to; but, if it should be deemed inexpedient by your honourable House to grant this prayer of your petitioners, then, that in the bill for commuting the tithes, now before your honourable House, it may be enacted, and become the law of the land, that one third-part of the annual payment of such commutation, be made to the churchwardens and overseers of the poor of every parish, towards the maintenance and support of the poor; and also, that the church-rates may be abolished, and a suitable provision made, and annually paid to the churchwardens out of the said commutation, as may be necessary for the incidental expenses and repairs of the several churches.

And your petitioners will ever pray, &c.

[The petition to the House of Lords is similar to this, the style only being altered.]

DANGER OF AN AMERICAN INVASION OF IRELAND.

At a meeting of the Manchester Repeal Association, held at Hutton's Tavern, Deansgate, on Monday evening, May 19, Mr. Cobbett's *Register*, of Saturday, May 17, was, on motion, ordered to be read at length, upon which the following resolutions were passed:

"Resolved,—That the late paper, "written by Mr. Cobbett, on the probabilities and danger of an American invasion of Ireland, is in our judgment "the most important document that has "issued from the British press these "many years past; and that it appears "to us to be deserving the most serious "attention of his Majesty's Government and the people of England.

"Resolved,—That we tender our "lasting gratitude to Mr. Cobbett for "this able production of his pen, and "respectfully request him to republish, "in a cheap form, this immortal document, and to assure him of our order "for 500 copies, for the use of the "members of our association.

"Resolved,—That we petition both "Houses of Parliament, praying that "five million copies of this invaluable "paper be published at the national expense, through the agency of Mr. "Cobbett, and distributed gratis all "over the United Kingdom.

"That our petition to the House of "Lords be intrusted to the Lord "Chancellor, and that the Earl of "Shrewsbury and Lord Cloncurry be "requested to support its prayer; and "that to the Commons be intrusted to "our tried, faithful, and unpurchasable "countryman, O'Connell; and that "Messrs. Hume, Harvey, Roebuck, "Ruthven, O'Connor, Ronayne, Sheil, "Finn, Jacob, and Maurice O'Connell, "be requested to support the same.

"That these resolutions be published "in Mr. Cobbett's *Register*, the *Evening* and *Weekly True Sun*, the *Manchester Advertiser*, the *Newcastle Press*, and *Liverpool Journal*, and

"that these papers have, and deserve "our confidence and thanks.

"LOYDE JONES, Chairman,
"JOSEPH SHIELS TOLE, Sec."

The following letter accompanied the resolutions to Mr. Cobbett:

TO WILLIAM COBBETT, ESQ., M.P.

Manchester, Tuesday, May 20.

"Sir,—I assure you sincerely, I never "expected to have so much honour "conferred on me as I now possess in "being made the medium of communi- "cating to you the thanks of the Man- "chester Repeal Association, for the "last production of your immortal "pen.

"That splendid emanation of your "heaven-gifted spirit was read aloud to "a large meeting of our members last "evening. To say that it was received "with alternate bursts of tears and "bursts of gladness, to say that it "communicated to us a second man- "hood, a second, and additional desire "to live, would not convey an idea of "its effect,

"If any of your revilers were present "amongst us on that occasion, and "witnessed, as they would have, the "tears burst out from the eyes of age "and youth; if they were to have wit- "nessed this, and then ask themselves "did they ever write, or say, or do, any "thing deserving of, or capable to pro- "duce, tears of gladness from any "number, or even from one honest "heart, the conscious, the damning "negative, must have blackened them "with confusion.

"Yes, the effects produced on our "members, English and Irish as they "were, by this immortal, or rather "mortal blow, at the whole thing, the "truths and the hopes it conveyed, the "resolutions it kindled within the "breasts of all of us, may, indeed, be "imagined, for they cannot be de- "scribed. Your revilers and our re- "vilers may sneer at the expression of "our feelings in a mood so womanly; "but remember, sir, and let them re- "member, that the men who could "yield their tears, would yield their "blood.

"You say truly, sir, that the Irish, "when driven out of Ireland, are not "driven out of the world. No, sir, "they are not. England is at this "moment manned by Irishmen. Every "seat of manufacture, every seat of "laborious enterprise, is manned by "Irishmen. Wherever labour is to be "performed in this over-laboured coun- "try, there are the Irish. Lazy, in- "deed, as you well exclaim; oh, what "hell-born tyranny it must be to tell "of this race that they are lazy or idle, "when the demons know that to the "Irish labour and to the Irish victuals "they owe all that they possess. Who "work under the earth for them in the "pits, and over the earth for them in "the fields, on the house-tops, in the "factories, on board their merchant- "ships, in their navy, in their armies: "who fill these vast skeletons but "Irishmen.

"There are at this moment, sir, a "million of able-bodied Irishmen in "England, nine-tenths of whom were "driven here 'after the Union,' as they "express it, to seek some kind of em- "ployment and maintenance. Two "out of every three of them are the "sons of shopkeepers and tradesmen "and farmers, who were ruined and "beggared by the 'Rebellion' of 1798 "(which you, sir, well know, was cre- "ated and matured, that the people "might be more effectually and safely "pillaged), and driven out of Ireland "by the desolation and the total disap- "pearance of trade which followed the "destruction of their national legisla- "ture—these men consider themselves "as slaves in England; their employers, "though men of the kindest hearts, "and of the best intentions towards "them, they consider in no other light "than as oppressors, and accessaries "after the fact to the robbery and pil- "lage of their rights. These Irishmen "have young families growing up "about them in this country; these "children imbibe, as Jackson imbibed, "from their mothers and their fathers, "a detestation of the oppressors of their "fathers and of their fathers' country; "they are taught to look forward to the

" return to their country as the great end " of their existence and their present " toil.

" The beauties of their native hills and " valleys are pictured in warm colours " by those expatriated parents to their " children. The grandeur of England, " with all its tinselled and glittering " palaces, is held as nought by these " people when compared to the en- " chanting fields and bowers which " they left. Here they are as slaves; " there they were as masters. Talk of " blotting out the name of Ireland, in- " deed! Talk, indeed, of calling it West " Britain!

" Gracious heaven! can any thing in " this whole world tend more to the se- " paration of the two countries, than this " of all others the most wanton, the " most demoniacal insult? Can the men " be mad? Is the Government of these " unfortunate countries (for now, thank " heaven! both are made unfortunate, " now thanks to heaven, both are per- " fectly, completely within the eight- " hundred-million monster's yoke; and " now thanks, thanks to great and just " heaven; we shall be completely ever- " lastingly avenged!) I say, sir, is the " Government of these countries for ever " to remain in the hands of men la- " bouring under 'temporary delusion'? " Oh, sir! we cannot reason with these " men; it is useless to impl re—to " beseech them; we have petitioned " till the act has become almost a farce. " We see in the distant *vista*, which " you have unfolded, the coming of our " redemption. We cling to the hope " that speedily some honest, sen-ible " men will be put at the head of affairs " by the people of this country; that " full, immediate justice will be done " to Ireland: and that we may return to " our beloved country to breathe, even " for a day, our native air perfumed " with liberty, and to stretch our bones, " as the bones of freemen, in the tombs " and the graves of our forefathers.

" In conclusion, sir, we pray to the " Almighty Governor of the world to " protect you from your enemies, to " preserve you on this earth as an in- " strument in his hands to work out the " ends of his just decrees, which we " feel and believe to be approaching; " to grant to your immortal spirit, be- " fore it flies from this material world, " one glimpse of the realization of your " wishes as regards the happiness of " the people of these countries, and of " the other portion of those people which " inhabit that land from which the " trumpet of our resurrection sounds; " and when the ends of your extraor- " dinary mission are fulfilled here, may " he receive you into his bosom as the " enlightener, the benefactor of the " human race.

" LLOYDE JONES."

POOR-LAWS.

LETTER III.

There is no flesh in man's obdurate heart;
It does not feel for man!
* * * * * What man, seeing this,
And having human feelings, does not blush,
And hang his head, to think himself a man?
COWPER.

Dunfermline, 18. *May*, 1834.

FRIEND OF THE POOR,—Had I the pencil of Cruikshank, I would personify the United Kingdom in a sketch of a human body, lank, lean, and emaciated; with the appendages out of all proportion in size, the laps of the ears reaching to the shoulders, and bearing, one a crown, the other a crosier: the nose with a tumour, " like the tower of " Heshbon, which looketh towards Da- " mascus"; the excrescential parts, the scalp-hair, of immense length, and standing on end " like quills of a por- " cupine"; the beard long, grizzly, clotted, and teeming, as if all alive and moving, with

" Ugly crawlin' blasted wonners,"

each,

" As p'ump an' grey as any frozet;"

and the nails longer than the limbs to which they are attached. At one arm I would place an ecclesiastical, and at the other a fundholding quack; both ap- plying their lancets; while, from their leeching operations, the veins of the pa- tient should appear as discharging pro-

fusely; and, in addition, a taxing and tax-eating squad should be exhibited, puncturing the body all over, and causing the thin blood to stream from every pore. In a corner should be placed a group of Malthusian empirics, suitably attired, and with appropriate paraphernalia, in close consultation; Dr. Malthus exclaiming, Bleed, bleed; his blood is redundant. Dr. Brougham, Don't cut the rascal's tumour; that is the chief ornament of the English body, which body is "essentially aristocratic." Dr. Grey, Crop not his ears; they are church-and-state union, which must be conserved. Dr. Hume, *Dinna clip* his hair, I beseech ye; an' "marr na, the corners o' his beard," for *Gud-ake*; these are "national faith" and "credit." Dr. Althorp, Let alone his claws; these are the "sister-services" and "Bourbon police." And, the nasty Doctor-Doctress Harriet Humphrey Martineau should appear, in robes half male, half female, like those of the "pye-a-prooms," proposing a certain operation; I will not say, what; nor tell the reason, why.

In the sketch, No. 2, should appear in addition Mr. Cobbett, preceded by the village barber, with towel, scissors, and razor; and behind him a body of chopsticks, one bearing a flag, with the famous inscription, "WE WILL NOT LIVE ON POTATOES"! and each having a slice of bread and of bacon in the right hand, with a pot of beer in the left, Mr. Cobbett exclaiming, Off, off, ye villanous feelosofers! Malthusian monsters, away! To your hell, ye heddekashun devils! [The empirics and quacks should appear as running off at the opposite corner in confusion and terror, Brougham without wig, and the *cretur* Martineau wanting its shawl and shoes, &c.] Now, Mr. Strapp, stem these wounds; shear off that national-faith scalp-hair; and away with the God-killing devil-serving Jew beard, and all the vermin which it harbours; crop his parson ass's ears; pare his sister services and Bourbon-police laws; and whip off the aristocratic wen from his proboscis. You, my good fellows must bear it all patiently; and when we have got you to appear as a Christian Englishman, like your forefathers, you shall have a rasher of bacon and a pot of home-brewed, as they had; and this, for the future, shall be your fare morning, mid-day, and evening, instead of the accursed potatoes. Something after this sort would be a true representation of the opposite sentiments of the Malthusians and Cobbettites. That the picture would not be overcharged as to the former, will presently appear, indeed, it is impossible for pen or pencil sufficiently to express or portray the monstrous absurdity of the Malthusian hypothesis, and horrible cruelty of the scheme of the feelosofers.

Althorp and Co keep out of sight the connexion of their infernal bill, with the principles of Malthus; and the ulterior object it is, no doubt, prudent to conceal; but we have both openly avowed in the forty-seventh volume of the *Edinburgh Review*, articles Emigration and Poor-laws. On the dogma of redundant population, and on the vituperative, insolent, and insulting style of this miscreant writer, I have already remarked; let us now see what are the measures which the fiend proposes for "killing off" that portion of the working people whom he calls "surplus"; that is, such as are not necessary to minister to the gratification of the idle.

1. "Give no allowance, unless in the "workhouse, to the able-bodied "pauper; and make him feel that a "life of *unremitting toil, supported* "*on coarse and scanty fare*, is to be "his portion as long as he conti-"nues there"!
2. "Alter the law of bastardy," so as to offer impunity to male libertinism in all cases; and, in many cases, to break the heart of "witless trusting woman," and drive her to prostitution, infanticide, and suicide!
3. "Cease to build; pull down; tax beggars' nests"!
4. "Disperse colonies of beggars and their brats"!
5. "Tax the locusts (Irish labourers) "on the wing, as they enter the "floating bridges," with the de-

sign of seeking food and employment in Britain!

6. Make no legal provision, for (oh! read this, American Irishmen) "*four or five millions of beggars*," who are to be kept, and left to die, at home!

7. These MEN OF SIN also "forbid to marry"; but their invention, hellish as it is, not having reached an effective plan of forcible prevention, they hold up to imitation the example of "the intelligent proprietor of Coll," who, to keep down the population of his island which he had previously reduced, "WOULD NOT ALLOW A "YOUNG MAN, A SON OF "ONE OF THE CROFTERS, "TO BE MARRIED WITHOUT "HIS (the laird's) CONSENT": he said, "if you marry without my "consent, you must leave the "island."

When I had read thus far

"My heart within me waxed hot;
"And while I musing was,
"The fire did burn; and, ..."

After various alternations of thought and feeling,

"From my lips,
"These words I did let pass,"

"O Lord God, to whom vengeance "belongeth, show thyself. Lift up "thyself thou Judge of the earth: "render a reward to the proud. Let "his children be fatherless, and his wife "a widow; let his children be continually vagabonds, and 'beg'; let "them seek their bread also out of "their desolate places" of Canada and New Holland; and may all the curses of the hundred and ninth Psalm fall on the head of the hell-taught writer of this most damnable paper.

Finally, this foolish and wicked wretch more than insinuates the propriety of abolishing the English poor-laws; and even of withholding voluntary charity, in order that the poor may be forced to submit to transportation, or left to die from starvation at home. .....Let me alone: I will curse yet deeper..... Let him be plunged, soul and body, into the hottest corner of the lowest hell; and, when at the restitution of all things, hell's gates shall be opened for the egress of the "common damned" and ordinary devils, let them be shut on this arch fiend; there let him broil and roast, and fry and weep and wail and gnash his teeth for ever and ever. Amen.

Regarding this execrable bill; the rich rate-payers have many friends within the honourable House: but the working people have no representatives. I therefore fear that while clauses affecting the interests of the former may be expunged or altered, some invasion will still be attempted of the rights of the poor. I pray you may be able to attend, and defeat the wicked inventions of its framers and supporters.

Friend of the Poor,
I am,
your obedient servant,
THOS. MORRISON, sen.

To William Cobbett, M.P.

(*From the Mercantile Advertiser and New York Advocate.*)

Thursday, April 17.

Several messages were received from the President of the United States, by Mr. Donelson, his private secretary; among them the following

PROTEST

To the Senate of the United States;

It appears by the published journal of the Senate, that on the 26. of December last, a resolution was offered by a member of the Senate, which, after a protracted debate, was, on the 28. of March last, modified by the mover, and passed by the votes of twenty-six Senators out of forty-six,* who were present and voted in the following words, viz.

"Resolved,—That the President, in the late

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* Yeas — Messrs. Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster, 26.

Nays—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Ala, King, of Ga, Inna, M'Kena, Moore, Morris, Robbinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright, 20.

executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

Having had the honour, through the voluntary suffrages of the American people, to fill the office of President of the United States during the period which may be presumed to have been referred to in this resolution, it is sufficiently evident that the censure it inflicts was intended for myself. Without notice, unheard, and untried, I thus find myself charged on the records of the Senate, and in a form hitherto unknown in our history, with the high crime of violating the laws and constitution of my country.

It can seldom be necessary for any department of the Government, when assailed in conversation, or debate, or by the strictures of the press, or of popular assemblies, to step out of its ordinary path for the purpose of vindicating its conduct, or of pointing out any irregularity or injustice in the manner of the attack. But when the chief executive magistrate is, by one of the most important branches of the Government in its official capacity in a public manner, and by its recorded sentence, but without precedent, competent authority, or just cause, declared guilty of a breach of the laws and constitution, it is due to his station, to public opinion, and to a proper self-respect, that the officer thus denounced should promptly expose the wrong which has been done.

In the present case, moreover, there is even a stronger necessity for such a vindication. By an express provision of the constitution, before the President of the United States can enter on the execution of his office, he is required to take an oath or affirmation in the following words:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States; and will, to the best of my ability, preserve, protect, and defend, the constitution of the United States."

The duty of defending, so far as in him lies, the integrity of the constitution, would indeed have resulted from the very nature of his office; but by thus expressing it in the official oath or affirmation, which, in this respect, differs from that of every other functionary, the founders of our republic have attested their sense of its importance, and have given to it a peculiar solemnity and force. Bound to the performance of this duty by the oath I have taken, by the strongest obligation of gratitude to the American people, and by the ties which unite my every earthly interest with the welfare and glory of my country; and perfectly convinced that the discussion and passage of the above-mentioned resolution were not only unauthorized by the constitution, but in many respects repugnant to its provisions and subversive of the rights secured by it to other co-ordinate departments, I deem it an imperative duty to maintain the supremacy of that sacred instrument, and the immunities of the department intrusted to my care, by all means consistent with my own lawful powers, with the rights of others, and with the genius of our civil institution. To this end, I have caused this, my solemn protest against the aforesaid proceedings, to be placed on the files of the executive department, and to be transmitted to the Senate.

It is alike due to the subject, the Senate, and the people, that the views which I have taken of the proceedings referred to, and which compel me to regard them in the light that has been mentioned, should be exhibited at length, and with the freedom and firmness which are required by an occasion so unprecedented and peculiar.

Under the constitution of the United States, the powers and functions of the various departments of the Federal Government, and their responsibilities for violation or neglect of duty, are clearly defined, or result from necessary inference. The legislative power, subject to the qualified negative of the President, is vested in the Congress of the United States, composed of the Senate and House of Representatives. The executive power is vested exclusively in the President, except that in the conclusion of treaties and in certain appointments to office, he is to act with the advice and consent of the Senate. The judicial power is vested exclusively in the Supreme and other Courts of the United States, except in cases of impeachment, for which purpose the accusatory power is vested in the House of Representatives, and that of hearing and determining, in the Senate. But although for the special purposes which have been mentioned, there is an occasional intermixture of the powers of the different departments, yet with these exceptions, each of the three great departments is independent of the others in its sphere of action; and when it deviates from that sphere, is not responsible to the others, further than it is expressly made so in the constitution. In every other respect, each of them is the equal of the other two, and all are the servants of the American people, without power or right to control or censure each other in the service of their common superior, save only in the manner and to the degree which that superior has described.

The responsibilities of the President are numerous and weighty. He is liable to impeachment for high crimes and misdemeanors, and, on due conviction, to removal from office, and perpetual disqualification; and notwithstanding such conviction, he may also be indicted and punished according to law. He is also liable to the private action of any party who may have been injured by his illegal mandates or instructions, in the same manner and to the same extent as the humblest functionary. In addition to the responsibilities which may thus be enforced by impeachment, criminal prosecution, or suit at law, he is also accountable at the bar of public opinion for every act of his administration. Subject

only to the restraints of truth and justice, the free people of the United States have the undoubted right, as individuals or collectively, orally or in writing, at such times, and in such language and form as they may think proper, to discuss his official conduct, and to express and promulgate their opinions concerning it. Indirectly, also, his conduct may come under review in either branch of the legislature, or in the Senate when acting in its executive capacity, and so far as the executive or legislative proceedings of these bodies may require it, it may be examined by them. These are believed to be the proper and only modes, in which the President of the United States is to be held accountable for his official conduct.

Tested by these principles, the resolution of the Senate is wholly unauthorized by the constitution, and in derogation of its entire spirit. It assumes that a single branch of the legislative department may, for the purpose of a public censure, and without any view to legislation or impeachment, take up, consider, and decide upon, the official acts of the executive. But in no part of the constitution is the President subjected to any such responsibility; and in no part of that instrument is any such power conferred on either branch of the legislature.

The justice of these conclusions will be illustrated and confirmed by a brief analysis of the powers of the Senate, and a comparison of the recent proceedings of those powers.

The high functions assigned by the constitution to the Senate, are in their nature either legislative, executive, or judicial. It is only in the exercise of its judicial powers, when sitting as a court for the trial of impeachments, that the Senate is expressly authorized and necessarily required to consider and decide upon the conduct of the President, or any other public officer. Indirectly, however, as has already been suggested, it may frequently be called on to perform that office. Cases may occur in the course of its legislative or executive proceedings, in which it may be indispensable to the proper exercise of its powers, that it should inquire into, and decide upon, the conduct of the President or other public officers; and in every such case, its constitutional right to do so is cheerfully conceded. But to authorize the Senate to enter upon such a task in its legislative and executive capacity, the inquiry must actually grow out of or tend to some legislative or executive action; and the decision when expressed must take the form of some appropriate legislative or executive act.

The resolution in question was introduced, discussed, and passed, not as a joint, but as a separate resolution. It asserts no legislative power, proposes no legislative action; and neither possesses the form nor any of the attributes of a legislative measure. It does not appear to have been entertained or passed with any view or expectation of its issuing in a law or joint resolution, or in the repeal of any law or joint resolution, or in any other legislative action.

Whilst wanting both the form and substance of a legislative measure, it is equally manifest that the resolution was not justified by any of the executive powers conferred on the Senate. These powers relate exclusively to the consideration of treaties and nominations to office; and they are exercised in secret session, and with closed doors. This resolution does not apply to any treaty or nomination, and was passed in a public session.

Nor does this proceeding in any way belong to that class of incidental resolutions which relate to the officers of the Senate, to their chamber, and other appurtenances, or to subjects of order, and other matters of the like nature, in all which either House may lawfully proceed, without any co-operation with the other, or with the President.

On the contrary, the whole phraseology and sense of the resolution seem to be judicial. Its essence, true character, and only practical effect, are to be found in the conduct which it charges upon the President, and in the judgment which it pronounces on that conduct. The resolution, therefore, though discussed and adopted by the Senate in its legislative capacity, is, in its office, and in all its characteristics, essentially judicial.

That the Senate possesses a high judicial power, and that instances may occur in which the President of the United States will be amenable to it, is undeniable. But under the provisions of the constitution, it would seem to be equally plain that neither the President nor any other officer can be rightfully subjected to the operation of the judicial power of the Senate, except in the cases and under the forms prescribed by the constitution.

The constitution declares that "the President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors"; that the House of Representatives shall have the sole power of impeachment; that the Senate "shall have the sole power to try all impeachments"; that "when sitting for that purpose, they shall be on oath or affirmation"; that "when the President of the United States is tried, the Chief Justice shall preside"; that "no person shall be convicted without the concurrence of two-thirds of the members present"; and that "judgment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honour, trust, or profit, under the United States."

The resolution above quoted, charges in substance that in certain proceedings relating to the public revenue the President has usurped authority and power not conferred upon him by the constitution and laws, and that in doing so he has violated both. Any such act constitutes a high crime, one of the highest, indeed, which the President can commit,

a crime which justly exposes him to impeachment by the House of Representatives, and upon due conviction, to removal from office, and to the complete and immutable disfranchisement prescribed by the constitution.

The resolution, then, was in substance an impeachment of the President; and in its passage, amounts to a declaration by a majority of the Senate, that he is guilty of an impeachable offence. As such, it is spread upon the journals of the Senate, published to the nation and to the world, made part of our enduring archives, and incorporated in the history of the age. The punishment of removal from office and future disqualification does not, it is true, follow this decision; nor would it have followed the like decision, if the regular forms of proceeding had been pursued, because the requisite number did not concur in the result. But the moral influence of a solemn declaration, by a majority of the Senate, that the accused is guilty of the offence charged upon him, has been as effectually secured, as if the like declaration had been made upon an impeachment expressed in the same terms. Indeed, a greater practical effect has been gained, because the votes given for the resolution, though not sufficient to authorize a judgment of guilty on an impeachment, were numerous enough to carry that resolution.

That the resolution does not expressly allege that the assumption of power and authority, which it condemns, was intentional and corrupt, is no answer to the preceding view of its character and effect. The act thus condemned, necessarily implies violation and design in the individual to whom it is imputed, and being unlawful in its character, the legal conclusion is, that it was prompted by improper motives, and committed with an unlawful intent. The charge is not of a mistake in the exercise of supposed powers, but of the assumption of powers not conferred by the constitution and laws, but in derogation of both, and nothing is suggested to excuse or palliate the turpitude of the act. In the absence of any such excuse or palliation, there is only room for one inference; and that is, that the intent was unlawful and corrupt. Besides, the resolution not only contains no mitigating suggestion, but on the contrary, it holds up the act complained of, as justly obnoxious, to censure and reprobation; and thus as distinctly stamps it with impurity of motive, as if the strongest epithets had been used.

The President of the United States, therefore, has been, by a majority of his constitutional triers, accused and found guilty of an impeachable offence; but in no part of this proceeding have the directions of the constitution been observed.

The impeachment, instead of being preferred and prosecuted by the House of Representatives, originated in the Senate, and was prosecuted without the aid or concurrence of the other House. The oath or affirmation prescribed by the constitution was not taken by the senators; the Chief Justice did not preside; no notice of the charge was given to the accused; and no opportunity afforded him to respond to the accusation, to meet his accusers face to face, to cross-examine the witnesses, to procure counteracting testimony, or to be heard in his defence. The safeguard and formalities which the constitution has connected with the power of impeachment, were doubtless supposed by the framers of that instrument to be essential to the protection of the public servant, to the attainment of justice, and to the order, impartiality, and dignity of the procedure. These safeguards and formalities were not only practically disregarded in the commencement and conduct of these proceedings, but in their result, I find myself convicted by less than two-thirds of the members present, of an impeachable offence.

In vain may it be alleged in defence of this proceeding, that the form of the resolution is not that of an impeachment, or of a judgment thereupon; that the punishment prescribed in the constitution does not follow its adoption, or that in this case, no impeachment is to be expected from the House of Representatives. It is because it did not assume the form of an impeachment, that it is the more palpably repugnant to the constitution; for it is through that form only that the President is judicially responsible to the Senate; and though neither removal from office nor future disqualification ensues, yet it is not to be presumed, that the framers of the constitution considered either or both of those results, as constituting the whole of the punishment they prescribed. The judgment of guilty by the highest tribunal in the union; the stigma it would inflict on the offender, his family and fame, and the perpetual record on the journal, handing down to future generations the story of his disgrace, were doubtless regarded by them as the bitterest portions, if not the very essence of that punishment. So far, therefore, as some of its most material parts are concerned, the passage, recording, and promulgation of the resolution, are an attempt to bring them on the President, in a manner unauthorized by the constitution. To shield him and other officers who are liable to impeachment, from consequences so momentous, except when really merited by official delinquencies the constitution has most carefully guarded the whole process of impeachment. A majority of the House of Representatives must think the officer guilty, before he can be charged. Two-thirds of the Senate must pronounce him guilty, or he is deemed to be innocent. Forty-six Senators appear by the journal to have been present when the vote on the resolution was taken. If, after all the solemnities of an impeachment, thirty of those senators had voted that the President was guilty, yet would he have been acquitted; but by the mode of proceeding adopted in the present case, a lasting record of conviction has been entered up by the votes of twenty-six senators, without an impeachment or trial; whilst the constitu-

tion expressly declares that to the entry of such a judgment, an accusation by the House of Representatives, a trial by the Senate, and a concurrence of two-thirds in the vote of guilty shall be indispensable prerequisites.

Whether or not an impeachment was to be expected from the House of Representatives, was a point on which the Senate had no constitutional right to speculate, and in respect to which, even had it possessed the spirit of prophecy, its anticipations would have furnished no just grounds for this procedure. Admitting that there was reason to believe that a violation of the constitution and laws had been actually committed by the President, still it was the duty of the Senate, as his sole constitutional judges, to wait for an impeachment until the other should think proper to prefer it. The members of the Senate could have no right to infer that no impeachment was intended. On the contrary, every legal and rational presumption on their part ought to have been, that if there was good reason to believe him guilty of an impeachable offence, the House of Representatives would perform its constitutional duty, by arraigning the offender before the justice of his country. The contrary presumption would involve an implication derogatory to the integrity and honour of the representatives of the people. But suppose the suspicion thus implied were actually entertained, and for good cause, how can it justify the assumption by the Senate of powers not conferred by the constitution?

It is only necessary to look at the condition in which the Senate and the President have been placed by this proceeding, to perceive its utter incompatibility with the provisions and the spirit of the constitution, and with the plainest dictates of humanity and justice.

If the House of Representatives should be of opinion that there is just ground for the censure pronounced upon the President, then will it be the solemn duty of the House to prefer the proper accusation, and to cause him to be brought to trial by the constitutional tribunal. But in what condition would he find that tribunal. A majority of its members have already considered the case, and have not only formed but expressed a deliberate judgment upon its merits. It is the policy of our benign systems of jurisprudence to secure, in all criminal proceedings, and even in the most trivial litigations, a fair, unprejudiced, and impartial trial. And surely it cannot be less important that such a trial should be secured to the highest officer of the Government.

The constitution makes the House of Representatives the exclusive judges, in the first instance, of the question, whether the President has committed an impeachable offence. A majority of the Senate, whose interference with this preliminary question, has, for the best of all reasons, been studiously excluded, anticipate the action of the House of Representatives, assume not only the function which belongs exclusively to that body, but convert themselves into accusers, witnesses, counsel and judges, and prejudge the whole case. Thus presenting the appalling spectacle, in a free state, of judges going through a laboured preparation for an impartial hearing and decision, by a previous ex-parte investigation and sentence against the supposed offender.

There is no more settled axiom in that Government whence we derived the model of this part of our constitution, than, that "the Lords cannot impeach any to themselves, nor join in the accusation, *because they are judges.*" Independently of the general reasons on which this rule is founded, its propriety and importance are greatly increased by the nature of the impeaching power. The power of arraigning the high officers of Government, before a tribunal whose sentence may expel them from their seats, and brand them as infamous, is eminently a popular remedy—a remedy designed to be employed for the protection of private right and public liberty, against the abuses of injustice and the encroachments of arbitrary power. But the framers of the constitution were also undoubtedly aware, that this formidable instrument had been, and might be abused; and that from its very nature, an impeachment for high crimes and misdemeanors, whatever might be its result, would, in most cases, be accompanied by so much of dishonour and reproach, solicitude and suffering, as to make the power of preferring it, one of the highest solemnity and importance. It was due to both these considerations, that the impeaching power should be lodged in the hands of those who, from the mode of their election and tenour of their offices, would most accurately express the popular will, and at the same time be most directly and speedily amenable to the people. The theory of these wise and benignant intentions is, in the present case, effectually defeated by the proceedings of the Senate. The members of that body represent, not the people, but the States; and though they are undoubtedly responsible to the States, yet, from their extended term of service, the effect of that responsibility, during the whole period of that term, must very much depend upon their own impressions of its obligatory force. When a body, thus constituted, expresses beforehand its opinion in a particular case, and thus indirectly invites a prosecution, it not only assumes a power intended for wise reasons to be confined to others, but it shields the latter from that exclusive and personal responsibility under which it was intended to be exercised, and reverses the whole scheme of this part of the constitution.

Such would be some of the objections to this procedure, even if it were admitted that there is just ground for imputing to the President the offences charged in the resolution. But if, on the other hand, the House of Representatives shall be of opinion that there is no reason for charging them upon him, and shall therefore deem it improper to prefer an im-

peachment, then will the violation of privilege as it respects that House, of justice as it regards the President, and of the constitution, as it relates to both, be only the more conspicuous and impressive.

The constitutional mode of procedure on an impeachment has not only been wholly disregarded, but some of the first principles of natural right and enlightened jurisprudence, have been violated in the very form of the resolution. It carefully abstains from averring in which of "the late proceedings in relation to the public revenue, the President has assumed upon himself authority and power not conferred by the constitution and laws." It carefully abstains from specifying what laws or what parts of the constitution have been violated. Why was not the certainty of the offence—"the nature and cause of the accusation"—set out in the manner required in the constitution, before even the humblest individual, for the smallest crime, can be exposed to condemnation? Such a specification was due to the accused, that he might direct his defence to the real points of attack; to the people, that they might clearly understand in what particulars their institutions had been violated; and to the truth and certainty of our public annals. As the record now stands, whilst the resolution plainly charges upon the President at least one act of usurpation in "the late executive proceedings in relation to the public revenue," and is so framed that those senators who believed that one such act, and only one, had been committed, could assent to it; its language is yet broad enough to include several such acts; and so it may have been regarded by some of those who voted for it. But though the accusation is thus comprehensive in the censures it implies, there is no such certainty of time, place, or circumstance, as to exhibit the particular conclusion of fact or law which induced any one senator to vote for it. And it may well have happened, that whilst one senator believed that some particular act embraced in the resolution, was an arbitrary and unconstitutional assumption of power, others of the majority may have deemed that very act both constitutional and expedient, or if not expedient, yet still within the pale of the constitution. And thus a majority of the senators may have been enabled to concur, in a vague and undefined accusation, that the President, in the course of "the late executive proceedings in relation to the public revenue," had violated the constitution and laws;—whilst, if a separate vote had been taken in respect to each particular act, included within the general terms, the accusers of the President might, on any such vote, have been found in the minority.

Still further to exemplify this feature of the proceeding, it is important to be remarked, that the resolution as originally offered to the Senate, specified, with adequate precision certain acts of the President, which it denounced as a violation of the constitution and laws; and that it was not until the very close of the debate, and when, perhaps, it was apprehended that a majority might not sustain the specific accusation contained in it, that the resolution was so modified as to assume its present form. A more striking illustration of the soundness and necessity of the rules which forbid vague and indefinite generalities, and require a reasonable certainty in all judicial allegations; and a more glaring instance of the violation of those rules, has seldom been exhibited.

In this view of the resolution it must certainly be regarded, not as a vindication of any particular provision of the law or the constitution, but simply as an official rebuke or condemnatory sentence, too general and indefinite to be easily repelled, but yet sufficiently precise to bring into discredit the conduct and motives of the executive. But whatever it may have been intended to accomplish, it is obvious that the vague, general, and abstract form of the resolution, is in perfect keeping with these other departures from first principles and settled improvements in jurisprudence, so properly the boast of free countries in modern times. And it is not too much to say, of the whole of these proceedings, that if they shall be approved and sustained by an intelligent people, then will that great contest with arbitrary power, which had established in statutes, in bills of rights, in sacred charters, and in constitutions of government, the right of every citizen, to a notice before trial, to a hearing before conviction, and to an impartial tribunal for deciding on the charge, have been waged in vain.

If the resolution had been left in its original form, it is not to be presumed that it could ever have received the assent of a majority of the Senate, for the acts therein specified as violations of the constitution and laws, were clearly within the limits of the executive authority. They are the "dismissing the late secretary of the treasury, because he would not, contrary to his sense of his own duty, remove the money of the United States in deposit with the Bank of the United States, and its branches, in conformity with the President's opinion, and appointing his successor to effect such removal, which has been done." But as no other specification has been substituted, and as these were the "executive proceedings in relation to the public revenue," principally referred to in the course of the discussions, they will doubtless be generally regarded as the acts intended to be denounced as "an assumption of authority and power not conferred by the constitution or laws, but in derogation of both." It is therefore due to the occasion, that a condensed summary of the views of the executive in respect to them, should be here exhibited.

By the constitution, "the executive power is vested in a President of the United States." Among the duties imposed upon him, and which he is sworn to perform, is that of "taking care that the laws be faithfully exe-

cuted." Being thus made responsible for the entire action of the executive department, it was but reasonable that the power of appointing, overseeing, and controlling those who execute the laws—a power in its nature executive—should remain in his hands. It is, therefore, not only his right, but the constitution makes it his duty, to "nominate, and by and with the advice and consent of the Senate appoint," all "officers of the United States whose appointments are not in the constitution otherwise provided for," with a proviso, that the appointment of inferior officers may be vested in the President alone, in the courts of justice, or in the heads of departments.

The executive power vested in the Senate, is neither that of "nominating" nor "appointing." It is merely a check upon the executive power of appointment. If individuals are proposed for appointment by the President, by them deemed incompetent or unworthy, they may withhold their consent, and the appointment cannot be made. They check the action of the executive, but cannot, in relation to those very subjects, act themselves, nor direct him. Selections are still made by the President, and the negative given to the Senate, without diminishing his responsibility, furnishes an additional guarantee to the country that the subordinate executive, as well as the judicial offices, shall be filled with worthy and competent men.

The whole executive power being vested in the President, who is responsible for its exercise, it is a necessary consequence, that he should have a right to employ agents of his own choice to aid him in the performance of his duties, and to discharge them when he is no longer willing to be responsible for their acts. In strict accordance with this principle, the power of removal, which, like that of appointment, is an original executive power, is left unchecked by the constitution in relation to all executive officers, for whose conduct the President is responsible, while it is taken from him in relation to judicial officers, for whose acts he is not responsible. In the Government from which many of the fundamental principles of our system are derived, the head of the executive department originally had power to appoint and remove at will all officers—executive and judicial. It was to take the judges out of this general power of removal, and thus make them independent of the executive, that the tenure of their offices was changed to good behaviour. Nor is it conceivable, why they are placed, in our constitution, upon a tenure different from that of all other officers appointed by the executive, unless it be for the same purpose.

But if there were any just ground for doubt on the face of the constitution, whether all executive officers are removeable at the will of the President, it is obviated by the contemporaneous construction of the instrument, and the uniform practice under it.

The power of removal was a topic of solemn debate in the Congress of 1789, while organizing the administrative departments of the Government, and it was finally decided, that the President derived from the constitution the power of removal, so far as it regards that department for whose acts he is responsible. Although the debate covered the whole ground, embracing the treasury as well as all the other executive departments, it arose on a motion to strike out of the bill to establish a department of foreign affairs, since called the department of state, a clause declaring the secretary "to be removeable from office by the President of the United States." After that motion had been decided in the negative, it was perceived that these words did not convey the sense of the House of Representatives in relation to the true source of the power of removal. With the avowed object of preventing any future interference, that this power was exercised by the President in virtue of a grant from Congress, when in fact that body considered it as derived from the constitution, the words which had been the subject of debate were struck out, and in lieu thereof a clause was inserted in a provision concerning the chief clerk of the department, which declared that "whenever the said principal officer shall be removed from office by the President of the United States, or in any other case of vacancy," the chief clerk should, during such vacancy, have charge of the papers of the office. This change having been made for the express purpose of declaring the sense of Congress, that the President derived the power of removal from the constitution, the act as it passed has always been considered as a full expression of the sense of the legislature on this important part of the American constitution.

Here then we have the concurrent authority of President Washington, of the Senate, and the House of Representatives, numbers of whom had taken an active part in the convention which framed the constitution, and in the State conventions, which adopted it, that the President derived an unqualified power of removal from that instrument itself, which is "beyond the reach of legislative authority." Upon this principle the Government has now been steadily administered for about forty-five years, during which there have been numerous removals made by the President or by his direction, embracing every grade of executive officers, from the heads of departments to the messengers of Bureaus.

The treasury department, in the discussions of 1789, was considered on the same footing as the other executive departments, and in the act establishing it, the precise words were incorporated indicative of the sense of Congress, that the President derives his power to remove the secretary from the constitution, which appear in the act establishing the department of foreign affairs. An assistant secretary of the treasury was created, and it was provided that he should take charge of the books and papers of the department, "when-

ever the secretary shall be removed from office by the President of the United States." The secretary of the treasury being appointed by the President, and being considered as constitutionally removeable by him, it appears never to have occurred to any one in the Congress of 1789, or since, until very recently, that he was other than an executive officer, the mere instrument of the chief magistrate in the execution of the laws, subject, like all other heads of departments, to his supervision and control. No such an idea as an officer of the Congress can be found in the constitution, or appears to have suggested itself to those who organized the Government. There are officers of each house, the appointment of whom is authorized by the constitution, but all officers referred to in that instrument as coming within the appointing power of the President, whether established thereby or created by law, are "officers of the United States." No joint power of appointment is given to the two houses of Congress, nor is there any accountability to them as one body; but as soon as any office is created by law, of whatever name or character, the appointment of the person or persons to fill it, devolves by the constitution upon the President, with the advice and consent of the Senate, unless it be an inferior office, and the appointment be vested by the law itself "in the President alone, in the courts of law, or in the heads of departments."

But at the time of the organization of the treasury department, an incident occurred which distinctly evinces the unanimous concurrence of the first Congress in the principle that the treasury department is wholly executive in its character and responsibilities. A motion was made to strike out the provision of the bill making it the duty of the secretary "to digest and report plans for the improvement and management of the revenue and for the support of public credit," on the ground that it would give the executive department of the Government too much influence and power in Congress. The motion was not opposed on the ground that the secretary was the officer of Congress and responsible to that body, which would have been conclusive, if admitted, but on other grounds which conceded his executive character throughout. The whole discussion evinces a unanimous concurrence in the principle, that the secretary of the treasury is wholly an executive officer, and the struggle of the minority was to restrict his power as such. From that time down to the present, the secretary of the treasury, the treasurer, register, comptrollers, auditors, and clerks, who fill the offices of that department, been considered and treated as on the same footing with corresponding grades of officers in all the other executive departments.

The custody of the public property, under such regulations as may be prescribed by legislative authority, has always been considered an appropriate function of the executive department in this and all other governments. In accordance with this principle, every species of property belonging to the United States, (excepting that which is in the use of the several co-ordinate departments of the Government, as means to aid them in performing their appropriate functions), is in charge of officers appointed by the President, whether it be lands or buildings, or merchandise, or provisions, or clothing, or arms and munitions of war. The superintendents and keepers of the whole are appointed by the President, responsible to him, and removeable at his will.

Public money is but a species of property. It cannot be raised by taxation or customs, nor brought into the treasury in any other way, except by law; and whenever or however obtained, its custody always has been, and always must be, unless the constitution be changed, intrusted to the executive department. No officer can be created by Congress for the purpose of taking charge of it, whose appointment would not, by the constitution, at once devolve on the President, and who would not be responsible to him for the faithful performance of his duties. The legislative power may undoubtedly bind him and the President by any laws they may think proper to enact; they may prescribe in what place particular portions of the public money shall be kept, and for what reason it shall be removed, as they may direct that supplies for the army or navy shall be kept in particular stores; and it will be the duty of the President to see that the law is faithfully executed; yet will the custody remain in the executive department of the Government. Were the Congress to assume, without a legislative act the power of appointing officers independently of the President, to take the charge and custody of the public property contained in the military and naval arsenals, magazines, and storehouses, it is believed that such an act would be regarded by all as a palpable usurpation of executive power, subversive of the forms as well as the fundamental principles of our Government. But where is the difference in principle, whether the public property be in the form of arms, munitions of war, and supplies, or in gold and silver, or bank-notes? None can be perceived; none is believed to exist. Congress cannot, therefore, take out of the hands of the executive department, the custody of the public property or money, without an assumption of executive power, and a subversion of the first principles of the constitution.

The Congress of the United States have never passed an act imperatively directing that the public monies shall be kept in any particular place or places. From the origin of the Government to the year 1816, the statute book was wholly silent on the subject. In 1789 a treasurer was created, subordinate to the Secretary of the Treasury, and through him to the President. He was required to give bond, safely to keep, and faithfully to disburse, the public monies, without any direction as to

the manner or places in which they should be kept. By reference to the practices of the Government, it is found, that from its first organization, the Secretary of the Treasury, acting under the supervision of the President, designated the places in which the public monies should be kept, and specially directed all transfers from place to place. This practice was continued, with the silent acquiescence of Congress, from 1789 down to 1816; and although a portion of the monies were first placed in the State Banks, and then in the former Bank of the United States, and upon the dissolution of that, were again transferred to the State Banks, no legislation was thought necessary by Congress, and all the operations were originated and perfected by executive authority. The Secretary of the Treasury, responsible to the President, and with his approbation, made contracts and arrangements in relation to the whole subject matter, which was thus entirely committed to the direction of the President, under his responsibilities to the American people, and to those who were authorized to impeach and punish him for any breach of this important trust.

The act of 1816, establishing the Bank of the United States, directed the deposites of public money to be made in that Bank and its branches, in places in which the said Bank and branches thereof may be established, "unless the Secretary of the Treasury should otherwise order or direct," in which event, he was required to give his reasons to Congress. This was but a continuation of his pre-existing powers as the head of an executive department, to direct where the deposites should be made, with the superadded obligation of giving his reasons to Congress for making them elsewhere than in the Bank of the United States and its branches. It is not to be considered that this provision in any degree altered the relation between the Secretary of the Treasury and the President, as the responsible head of the executive department, or released the latter from his constitutional obligation to "take care that the laws be faithfully executed." On the contrary, it increased its responsibilities, by adding another to the long list of laws which it was his duty to carry into effect.

It would be an extraordinary result, if, because the person charged by law with a public duty, is one of the secretaries, it were less the duty of the President to see that law faithfully executed, than other laws enjoining duties upon subordinate officers or private citizens. If there be any difference, it would seem that the obligation is the stronger in relation to the former, because the neglect is in his presence, and the remedy at hand.

It cannot be doubted that it was the legal duty of the Secretary of the Treasury to order and direct the deposites of the public money to be made elsewhere than in the Bank of the United States, whenever sufficient reasons existed for making the change. If, in such a case, he neglected or refused to act, he would neglect or refuse to execute the law. What would then be the sworn duty of the President?—Could he say that the constitution did not bind him to see the law faithfully executed, because it was one of his secretaries, and not himself, upon whom the service was specially imposed? Might he not be asked whether there was any such limitation to his obligations prescribed in the constitution? Whether he is not equally bound to take care that the laws be faithfully executed, whether they impose duties on the highest officer of state, or the lowest subordinate in any of the departments? Might he not be told that it was for the sole purpose of causing all executive officers, from the highest to the lowest, faithfully to perform the services required of them by law—that the people of the United States have made him their chief magistrate, and the constitution have clothed him with the entire executive power of this Government? The principles implied in these questions appear too plain to need elucidation.

But here, also, we have a contemporaneous construction of the act, which shows that it was not understood as in any way changing the relations between the President and Secretary of the Treasury, or as placing the latter out of executive control, even in relation to the deposits of the public money. Nor on this point are we left to any equivocal testimony. The documents of the treasury department show that the Secretary of the Treasury did apply to the President, and obtain his approbation and sanction to the original transfer of the public deposits to the present Bank of the United States, and did carry the measure into effect in obedience to his decision. They also show that transfers of the public deposits from the branches of the Banks of the United States to State Banks, at Chillicothe, Cincinnati, and Louisville, in 1819, were made with the approbation of the President, and by his authority. They show, that upon all important questions appertaining to his department, whether they related to the public deposit or other matters, it was the constant practice of the Secretary of the Treasury to obtain for his acts the approval and sanction of the President. These acts, and the principles on which they were founded, were known to all departments of the Government, to Congress, and the country; and, until very recently, appear never to have been called in question.

Thus was it settled by the constitution, the laws, and the whole practice of the Government, that the entire executive power is vested in the President of the United States; that as incident to that power, the right of appointing and removing those officers who are to aid him in the execution of the laws, with such restrictions only as the constitution prescribes is vested in the President; that the Secretary of the treasury is one of those officers; that the custody of the public property and money is an executive function, which, in relation to

the money, has always been exercised through the Secretary of the Treasury and his subordinates; that in the performance of these duties he is subject to the supervision and control of the President, and in all important measures having relation to them, consults the chief magistrate, and obtains his approval and sanction; that the law establishing the Bank did not, as it could not, change the relation between the President and the Secretary—did not release the former from his obligation to see the law faithfully executed, nor the latter from the President's supervision and control; that afterwards, and before, the Secretary did in fact, consult, and obtain the sanction of the President, to transfers and removals of the public deposits; and that all departments of the Government, and the nation itself, approved or acquiesced in these acts and principles, as in strict conformity with our constitution and laws.

During the last year, the approaching termination, according to the provisions of its charter, and the solemn decision of the American people, of the Bank of the United States, made it expedient, and its exposed abuses and corruptions, made it, in my opinion, the duty of the Secretary of the Treasury, to place the monies of the United States in other depositeries. The Secretary did not concur in that opinion, and declined giving the necessary order and directions. So glaring were the abuses and corruptions of the Bank, so evident its fixed purpose to persevere in them, and so palpable its design, by its money and power, to control the Government, and change its character, that I deemed it the imperative duty of the executive authority, by the exertion of every power confided to it by the constitution and laws, to check its career, and lessen its ability to do mischief, even in the painful alternative of dismissing the head of one of the departments. At the time the removal was made, other causes sufficient to justify it existed; but if they had not, the Secretary would have been dismissed for this cause only.

His place I supplied by one whose opinions were well known to me, and whose frank expression of them in another situation, and whose generous sacrifices of interest and feeling, when unexpectedly called to the station he now occupies, ought for ever to have shielded his motives from suspicion, and his character from reproach. In accordance with the opinions long before expressed by him, he proceeded, with my sanction, to make arrangements for depositing the monies of the United States in other safe institutions.

The resolution of the Senate, as originally framed, and as passed, if it refer to these acts, presupposes a right in that body to interfere with this exercise of executive power. If the principle be once admitted, it is not difficult to perceive where it may end. If, by a mere denunciation like this resolution, the President should ever be induced to act, in a matter of official duty, contrary to the honest convictions of his own mind, in compliance with the wishes of the Senate, the constitutional independence of the executive department would be as effectually destroyed, and its power effectually transferred to the Senate, as if that end had been accomplished by an amendment of the constitution. But if the Senate have a right to interfere with the executive powers, they have also the right to make that interference effective; and if the assertion of the power implied in the resolution be silently acquiesced in, we may reasonably apprehend that it will be followed, at some future day, by an attempt to actual enforcement. The Senate may refuse, except on the condition that he will surrender his opinions to theirs and obey their will, to perform their own constitutional functions; to pass the necessary laws; to sanction appropriations proposed by the House of Representatives, and to confirm proper nominations made by the President. It has already been maintained (and it is not conceivable that the resolution of the Senate can be based on any other principle) that the Secretary of the Treasury is the officer of Congress, and independent of the President; that the President has no right to control him, and consequently none to remove him. With the same propriety, and on similar grounds, may the Secretary of State, the Secretaries of War and the Navy, and the Postmaster-General, each in succession, be declared independent of the President, the subordinates of Congress, and removeable only with the concurrence of the Senate. Followed as its consequences, this principle will be found effectually to destroy one co-ordinate department of the Government, to concentrate in the hands of the Senate the whole executive power, and to leave the President as powerless as he would be useless, the shadow of authority after the substance had departed.

The time and the occasion which have called forth the resolution of the Senate, seem to impose upon me an additional obligation not to pass it over in silence. Nearly forty-five years had the President exercised without a question as to his rightful authority, those powers for the recent assumption of which he is now denounced. The vicissitudes of peace and war had attended our Government; violent parties, watchful to take advantage of any seeming usurpation on the part of the executive, and distracted our counsels; frequent removals, or forced resignations, in every sense tantamount to removals, had been made of the secretary and other officers of the treasury; and yet, in no one instance is it known, that any man, whether patriot or partisan, had raised his voice against it as a violation of the constitution. The expediency and justice of such changes, in reference to public officers of all grades, have frequently been the topics of discussion; but the constitutional right of the President to appoint, control, and remove, the head of the treasury, as well as all other departments, seems to have been universally conceded. And what is the

occasion upon which other principles have been first officially asserted. The Bank of the United States, a great monied monopoly, had attempted to obtain a renewal of its charter by controlling the elections of the people and the action of the Government. The use of its corporate funds and power in that attempt, was fully disclosed; and it was made known to the President that the corporation was putting in train the same course of measures, with the view of making another vigorous effort, through an interference in the elections of the people, to control public opinion and force the Government to yield to its demands. This, with its corruption of the press, its violation of its charter, its exclusion of the Government directors from its proceedings, its neglect of duty, and arrogant pretensions, made it, in the opinion of the President, incompatible with the public interest and safety of our institutions, that it should be no longer employed as the fiscal agent of the Treasury. A Secretary of the Treasury appointed in the recess of the Senate, who had not been confirmed by that body, and whom the President might or might not at his pleasure nominate to them, refused to do what his superior in the executive department considered the most imperative of his duties, and became in fact, however innocent his motives, the protector of the Bank. And on this occasion it is discovered for the first time, that those who framed the constitution misunderstood it; that the first Congress and all its successors have been under a delusion; that the practice of near forty-five years, is but a continued usurpation; that the Secretary of the Treasury is not responsible to the President; and that to remove him is a violation of the constitution and laws, for which the President deserves to stand for ever dishonoured on the journals of the Senate.

There are also some other circumstances connected with the discussion and passage of the resolution, to which I feel it to be, not only my right, but my duty to refer. It appears by the journal of the Senate, that among the twenty-six senators who voted for the resolution on its final passage, and who had supported it in debate, in its original form, were one of the senators from the State of Maine, the two senators from New Jersey, and one of the senators from Ohio. It also appears by the same journal, and by the files of the Senate, that the legislatures of these States had severally expressed their opinions in respect to the executive proceedings drawn in question before the Senate.

The two branches of the legislature of the State of Main, on the 25. of January, 1834, passed a preamble and series of resolutions in the following words:

"Whereas, at an early period after the election of Andrew Jackson to the presidency, in accordance with the sentiments which he had uniformly expressed, the attention of Congress was called to the constitutionality and expediency of the renewal of the charter of the United States Bank; and whereas, the Bank has transcended its chartered limits in the management of its business transactions, and has abandoned the objects of its creation by engaging in political controversies, by wielding its power and influence to embarrass the administration of the general Government, and by bringing insolvency and distress upon the commercial community. And whereas, the public security from such an institution consists less in its present pecuniary capacity to discharge its liabilities than in the fidelity with which the trusts reposed in it have been executed. And whereas, the abuse and misapplication of the powers conferred, have destroyed the confidence of the public in the officers of the Bank, and demonstrated that such powers endanger the stability of republican institutions. Therefore, Resolved, That in the removal of the public deposits from the Bank of the United States, as well as in the manner of their removal, we recognise in the administration an adherence to constitutional rights, and the performance of a public duty.

"Resolved, That this legislature entertains the same opinion as heretofore expressed by preceding legislatures of this State, that the Bank of the United States ought not to be rechartered.

"Resolved, That the senators of this State in the Congress of the United States be instructed, and the representatives be requested to oppose the restoration of the deposits, and the renewal of the charter of the United States Bank."

On the 11. of January, 1834, the House of Assembly and Council composing the legislature of the State of New Jersey, passed a preamble and a series of resolutions in the following words:

"Whereas the present crisis in our public affairs calls for a decided expression of the voice of the people of this State: and whereas we consider it the undoubted right of the legislature of the several States to instruct those who represent their interests in the councils of the nation, in all matters which intimately concern the public weal, and may affect the happiness or well-being of the people. Therefore

"1. Be it resolved by the Council and General Assembly of this State, That while we acknowledge with feelings of devout gratitude our obligations to the Great Ruler of nations for his mercies to us as a people, that we have been preserved alike from foreign war, from the evils of internal commotions, and the machinations of designing and ambitious men who would prostrate the fair fabric of our Union; that we ought, nevertheless, to humble ourselves in His presence and implore His aid for the perpetuation of our republican institutions, and for a continuance of that unexampled prosperity which our country has hitherto enjoyed.

"2. Resolved, That we have undiminished confidence in the integrity and firmness of the venerable patriot who now holds the dis-

guished post of chief magistrate of this nation, and whose purity of purpose and elevated motives have so often received the unqualified approbation of a large majority of his fellow-citizens.

"3. Resolved, That we view with agitation and alarm the existence of a great monied incorporation which threatens to embarrass the operations of the Government, and by means of its unbounded influence upon the currency of the country, to scatter distress and ruin throughout the community; and that we, therefore, solemnly believe the present Bank of the United States ought not to be rechartered.

"4. Resolved, That our senators in Congress be instructed, and our members of the House of Representatives be requested to sustain, by their votes and influence, the course adopted by the Secretary of the Treasury, Mr. Taney, in relation to the Bank of the United States, and the deposits of the Government monies, believing as we do the course of the Secretary to have been constitutional, and that the public good required its adoption.

"5. Resolved, That the Governor be requested to forward a copy of the above resolutions to each of our senators and representatives from this State in the Congress of the United States."

On the 21. day of February last, the legislature of the same State reiterated the opinions and instructions before given, by joint resolutions, in the following words:—

"Resolved by the Council and General Assembly of New Jersey, That they do adhere to the resolutions passed by them on the 11. day of January last relative to the President of the United States, the Bank of the United States, and the course of Mr. Taney in removing the Government deposits,

"Resolved, That the legislature of New Jersey have not seen any reason to depart from such resolutions since the passage thereof; and it is their wish that they should receive from our senators and representatives of this State in the Congress of the United States, that attention and obedience which are due to the opinion of a sovereign State, openly expressed in its legislative capacity."

(To be continued.)

From the LONDON GAZETTE,

FRIDAY, MAY 23, 1834.

INSOLVENTS.

TOOLE, J., Hand-court, Dowgate-hill, emery-paper-manufacturer.

WATSON, J., Calthorpe-street, Grays-inn-lane, dealer in music.

BANKRUPTS.

BOYCE, S. C., Walbrook, oil-merchant.

HAWTIN, T., Hurlston, Birmingham, linen-draper.

HODGSON, E., and R. Olpherts, Thrumpton and Retford, Nottinghamshire, coach-builders.

JONES, W., Francis-st., Tottenham-court-court-road, wine-merchant.

MACHIN, J. M., Waterloo-place, Pall-mall, wine-merchant.

SCOTCH SEQUESTRATIONS.

FYFEE, A., Haddington, surgeon.

PHILIP, J., and Son, Dolls, Stirlingshire, distillers.

TUESDAY, MAY 27, 1834.

INSOLVENTS.

DEAYTON, W., St. Alban's, Hertfordshire, victualler.

PARRIS, W., Red Lion-yard, Hampstead, livery-stable-keeper.

BANKRUPTS.

BARCLAY, J., Pembroke, general-shopkeeper.

COHEN, D. L., Great Yarmouth, Norfolk, grocer.

DICKINSON, G. J. R. J., Ealing, Middlesex, surgeon.

EVERTON, E., Coventry, riband-manufacturer.

LAKE, G., Stockport, Cheshire, hat-manufacturer.

SALTER, J., and W. Balston, Poole, twine-manufacturers.

SCOTCH SEQUESTRATION.

HOME, J., Linhouse, Glasgow, manufacturer and dealer in iron.

LONDON MARKETS.

MARK-LANE, CORN-EXCHANGE, May 26.—The supply of Wheat from Essex, Kent, and Suffolk, as well as spring corn, was more limited to-day than usual. Millers evincing more disposition to purchase, prices of Wheat were fully maintained, and the trade closed with a steadier aspect.

In bonded corn nothing transpiring.

The few samples of Barley offering were taken for distillery and grinding purposes, at fully the rates of this day week.

Malt steady in value, with a limited demand.

The arrivals of Oats since Friday have not been large, and as there was a good speculative demand, Friday's prices were supported, being fully 1s. dearer than this day week. The article in bond is in request, and sales have been made at from 13s. to 15s. per quarter. The last quotations from Hamburgh were 8s. 2d. per quarter, free on board in Denmark.

Beans scarce, and full 1s. dearer. In bond the article is advancing in value, and 20s. have been offered in vain for some good parcels.

Peas are in very short supply, and hog qualities are worth 1s. per quarter more money. In bond the article meets inquiry, but there are few samples to be obtained.

The Flour trade rules dull, and ship marks difficult of disposal.

Wheat, Essex, Kent, and Suffolk	44s.	to 49s.
—— White	48s.	to 54s.
—— Norfolk, Lincolnshire, and Yorkshire	42s.	to 46s.
—— White, ditto	45s.	to 52s.
—— West Country red	43s.	to 46s.
—— White, ditto	45s.	to 51s.
—— Northumberland and Berwickshire red	39s.	to 44s.
—— White, ditto	40s.	to 46s.
—— Moray, Angus, and Rothshire red	36s.	to 42s.
—— White, ditto	43s.	to 44s.
—— Irish red	35s.	to 41s.
—— White, ditto	43s.	to 44s.
Barley, Malting	28s.	to 30s.
—— Chevalier	—s.	to 30s.
—— Distilling	27s.	to 29s.
—— Grinding	26s.	to 29s.
Malt, new	34s.	to 48s.
—— Norfolk, pale	50s.	to 56s.
—— Ware	50s.	to 58s.
Peas, Hog and Grey	32s.	to 35s.
—— Maple	34s.	to 37s.
—— White Boilers	34s.	to 38s.
Beans, Small	33s.	to 40s.
—— Harrow	31s.	to 37s.
—— Tick	30s.	to 35s.
Oats, English Feed	22s.	to 24s.
—— Short, small	23s.	to 25s.
—— Poland	23s.	to 26s.
—— Scotch, common	23s.	to 24s.
—— —— Potato	26s.	to 27s.
—— —— Berwick	25s.	to 26s.
—— Irish, Galway, &c.	20s.	to 21s.
—— —— Potato	23s.	to 25s.
—— —— Black	22s.	to 23s.
Bran, per bushel	10s.	to 13s.
Flour, per sack	43s.	to 46s.

PROVISIONS.

Butter, Dorset	40s.	to —s. per cwt.
—— Cambridge	40s.	to —s.
—— York	40s.	to 42s.
Cheese, Dble. Gloucester	48s.	to 68s.
—— Single ditto	44s.	to 48s.
—— Cheshire	54s.	to 74s.
—— Derby	50s.	to 60s.
Hams, Westmoreland	50s.	to 60s.
—— Cumberland	46s.	to 58s.

SMITHFIELD, May 26.

This day's supply of Beasts and Porkers was limited: the supply of Sheep, Lambs, and Calves, good. Trade was throughout dull, with Beef at an advance, with Mutton, Lamb, and Veal, at a depression of full 2d. per stone; with Pork at Friday's quotations.

About two-thirds of the Beasts were Scots; and the remaining third about equal numbers of short-horns, Devons, and Welsh Runts, with about 50 Sussex Beasts, as many Herefords, about the same number of Irish Beasts, with a few Town's-end Cows, Staffords, &c.

About a moiety of the Sheep were new Leicesters, of the South-Down and white-faced crosses, in the proportion of about two of the former to four of the latter: about a fourth South-Downs, and the remaining fourth about equal numbers of old Leicesters, horned and polled Norfolks, Kents, and Kentish half-breds, with a few pens of horned Dorsets and Somersets, horned and polled Scotch and Welsh Sheep, &c.

About two-thirds of the Lambs, the total number of which was supposed to be about 4,000, appeared to be South-Downs, and the remaining third about equal numbers of new Leicesters of different crosses, and Dorsets, with a few pens of Kentish half-breds, &c.

About 1,400 of the Beasts, about 1,000 of which were Scots, mixed up with a few Norfolk homebreds, the remainder about equal numbers of Short-horns and Devons, with a few Welsh runts, were from Norfolk, Suffolk, Essex, and Cambridgeshire; about 200, a full moiety of which were Short-horns, the remainder about equal numbers of Devons and Runts, with a few Irish beasts, from Lincolnshire, Leicestershire, &c.; about 120, chiefly Devons, with a few Herefords, Welch runts, and Irish beasts, from our western and midland districts; about 80, chiefly Sussex beasts, with a few runts, Devons, Irish beasts, &c., from Kent, Sussex, and Surrey; and most of the remainder, including the Town's-end Cows, from the neighbourhood of London.

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